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SAN FRANCISCO PLANNING COMMISSION

Meeting Minutes

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, September 7, 2000

1:30 PM

DOCUMENTS DEPT.

Regular Meeting

FEB 15 2001

PRESENT: Theoharis, Mills, Antenore, Joe, Chinchilla, Salinas
ABSENT: None

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THE MEETING WAS CALLED TO ORDER BY VICE PRESIDENT MILLS AT 1:45 P.M.

STAFF IN ATTENDANCE: Gerald G. Green - Director of Planning; Larry Badiner - Zoning Administrator; Isolde Wilson; Adam Rich; David Alinbaugh; Andrea Young, Joy Navarrete; Leslie Buford; Paul Deutsch; Jim Miller; Catherine Keylon; Tony Kim; Judy Martin; Tina Tam; Kenneth Chin; Paul Lord; Elizabeth Gordon; Joy Navarrete; Nora Priego - Transcription Secretary; Linda D. Avery - Commission Secretary

A. ITEMS PROPOSED FOR CONTINUANCE

1. 2000.496D (MEHRA: 558-6257)
419 - 35TH AVENUE, Building Permit Application No. 20000127454, Case No. 2000.496D, for the property at 419 - 35th Avenue, Lot 4 in Assessor's Block 1467, proposing to construct a 19 foot deep, two story addition at the rear of the existing single-family dwelling and to add a one car garage adjacent to the existing one car garage at the front of the property. This property is in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve the Building Permit Application as submitted.
(Continued from Regular Meeting of August 24, 2000)
Discretionary Review Withdrawn

2. 2000.824C (YOUNG: 558-6346)
1351 GRANT AVENUE, west side between Vallejo and Green Streets; Lot 002 in Assessor's Block 0131: -- Request to consider conditional use revocation per Planning Code Section 303(f) of a prior conditional use authorization to allow the establishment of a full-service restaurant and bar, approximately 3,400 square feet in floor area, within the North Beach Neighborhood Commercial District and 40-X Height and Bulk District.
 Preliminary Recommendation: Approve with conditions
(Proposed for continuance to September 14, 2000)

SPEAKER(S): None

ACTION: Continued to September 14, 2000

AYES: Antenore, Joe, Theoharis, Mills, Chinchilla, Salinas

3. 2000.386C (YOUNG: 558-6346)
1333-1335 PACIFIC AVENUE, south side between Leavenworth and Hyde Streets; Lot 036 in Assessor's Block 0184: -- Request for Conditional Use Authorization pursuant to Section 711.83 of the Planning Code to install a total of three antennas and a base receiver station on an existing six-story residential over commercial building as part of Sprint's wireless telecommunications network in a NC-2 (Small Scale Neighborhood Commercial) District, Garment Shop Special Use District, and a 65-A Height and Bulk District.
 Preliminary Recommendation: Pending
(Proposed for continuance to November 9, 2000)

SPEAKER(S):

Gary Briggs: Would like case continued to September 28, 2000 and not November 9, 2000.

ACTION: Continued to November 9, 2000

AYES: Antenore, Joe, Theoharis, Mills, Chinchilla, Salinas

B. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes. If it is demonstrated that comments by the public will exceed 15 minutes, the President or chairperson may continue Public Comment to another time during the meeting.

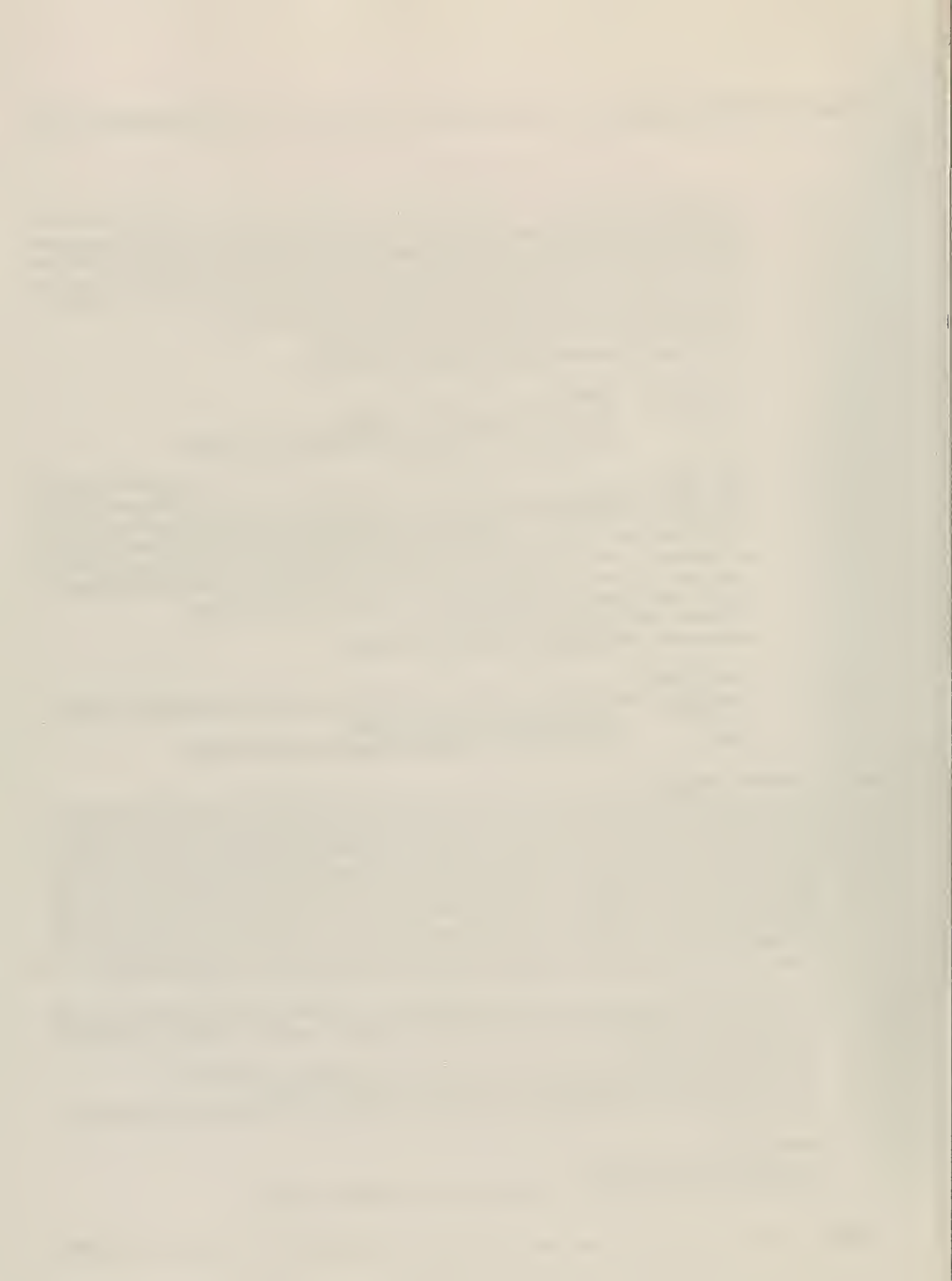
"The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

Gary Moody

Re: Live/Work Developments

- He came in June to speak about live/work issues and particular projects.



- He displayed a letter from the attorney of Joe O'Donahue regarding suing him for comments he had made previously at a Commission hearing. He faxed a copy of this letter to Alex Lansberg at an organization called SAGE. He knows that Ms. Linda Richardson gave a copy of this letter to Joe O'Donahue.

- Before live/work developments are considered, the Commission needs to seek the advice of the City Attorney.

Ron Groshardt

Re: Displacement of Mission District Residents

- He belongs to the working class and is here to speak about displacement in the Mission District.

- The Commission and the City are just getting around Proposition M. The will of the people are spoken in Proposition M. There are two new propositions: L and K which will be redefined in Proposition M.

Ella Turner-Gray

Re: 192 Majestic Avenue

- Last year a builder applied for a permit and did not notify the neighbors about the additions to the home.

- The neighbors then applied for a DR but were told they had missed the deadline. They were notified that they could file an appeal but were not notified of the deadline and missed that deadline also.

- She is concerned that there isn't a system to notify neighbors of construction proposed in the neighborhoods. No one seems to believe that her neighbors were not notified of the construction in their neighborhood.

Cris Daily

Re: Displacement of Mission District Residents

- He is one of 2,000 participants that want to voice a moratorium on all new commercial and market rate developments in the Mission District.

- They ask for enforcement of the Planning Code.

- They want a true community "planning process."

- It's time that the Commission take them seriously.

Luis Granados - Mission Economic Development Association

Re: Displacement of Mission District Residents

- Regarding the Conditional Use of the Bay View Bank Building.

- They have done their research and have all the information regarding the tenants of this building. All the evidence requires a conditional use permit.

- He will be more than happy to share all this information with the department and the Commission.

Peter Plate

Re: Displacement of Mission District Residents

- He is a published novelist and has lived in the Mission District for about 20 years.

- The conditions for moderate to low income families has reached the point of a catastrophe.

- Developments are creating an atmosphere of complete polarization.

- They came to the Commission regarding Bryant Square to no avail. Now they are here during Public Comment to speak about the Bay View Building.

- The Commission has the power to do something positive for these people and if that is not done, the community will have to take the matter into their own hands.

- They insist on a moratorium and it needs to be done soon.

Bill Barnes - Former member of the Youth Commission


Re: Keeping people of color living in the City.

- He is concerned that the Commission hasn't had discussions on keeping black people in this City.

- After the census data is published, the results will show that black residents are leaving this City.

Jonathan Yutes - San Francisco Artists Alliance

Re: Displacement of Mission District Residents



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- They are facing displacement.
- They would like to find solutions to preserving artists in San Francisco.
- He would like to suggest a community planning process.
- Groups are forming to protest decisions the Commission is making.
- They are not against development, they are against reckless development.

Gary Briggs

Re: Displacement of Mission District Residents

- He feels the anger from the public and the frustration from the Commission.
- He left a message to Sharon Young and asked to call him back. She never called him back.

David Cook

Re: Displacement of Mission District Residents

- How many police officers does it take to run a Planning Commission meeting.
- All these people came to talk about something that is going on in the neighborhood.

(Name not given)

Re: Displacement of Mission District Residents

- He and many others come here to try to ask the Commission to be humane and try to understand their needs and help them. He would like the Commission to plan for people, not organizations.

Madrone

Re: Cultural Eradication of Art Spaces in San Francisco

- This is the beginning of the action and non-direct violent action which will be going on at City Hall.
- Some of the Commissioners don't concentrate on what the speakers are saying.
- The Commissioners represent the public of San Francisco and they should listen well.
- They will do political action until their voices are heard.

Sharon (last name not understandable)

Re: Displacement of Mission District Residents

- People are suffering because of the decisions the Commission is making.
- She is 15 years old but she knows what is right from wrong.
- The Commissioners are contributing to the problem.

Gerry Almanza - PODER

Re: Displacement of Mission District Residents

- This is democracy at work: They come to speak and they get beaten down. They are asking for moratoriums on live/work developments, and new market rate housing. They are asking for a community planning process and an end to illegal conversions of office developments.
- Illegal conversions are becoming very frequent and nothing is being done about it.

(Name not given)

Re: Displacement of Mission District Residents

- He apologized for the disruption caused during this hearing. Yet, everyone is very angry and frustrated at the situation.

(Name not given)

Re: Displacement of Mission District Residents

- She apologizes for the disruption also yet she goes to school to learn that she has rights yet she comes to this hearing to see that she doesn't.

Carlos (last name not given)

Re: Displacement of Mission District Residents

- He doesn't agree with everything that is going on.

(Name not given)

Re: Displacement of Mission District Residents

- His mom is an only parent and although she is a very hard working woman, has trouble paying rent. He has to work also to buy himself clothes.
- The Commission needs to do something about this situation.

(Name unclear)

Re: Displacement of Mission District Residents

- She used to live in the mission and was evicted. For years she was homeless.
- Several of her friends are being evicted and have had to place their belongings in storage.
- If San Franciscans are tired of seeing people homeless, then the Commission needs to do something about it -- now.

(Name not given)

Re: Displacement of Mission District Residents

- He lives in the Mission District and belongs to a family of 8 people. Among all of his family members they can't afford to pay the rent.
- He is trying to get a construction job yet he can't do it alone.

Antonio Diaz - Mission Anti-Displacement Coalition

Re: Displacement of Mission District Residents

- He is so angry about the incident during this hearing. He and many people came to speak during Public Comment and they are treated with disrespect.
- He would like the Commission to take into consideration the displacement which will be caused by the many projects the Commission is approving.

Eric Quesada - Mission Anti-Displacement Coalition.

Re: Displacement of Mission District Residents

- They have a rally outside protesting the decisions the Commission is making for the Mission.
- There are residents from many districts of the City being represented.
- They will not go away. They will work hard through legislation and the ballots to get their voices heard.

Emilio (last name not given)

Re: Displacement of Mission District Residents

- He has live in the Mission for many years.
- He believes that the city is being sold out to many corporations and politicians.
- He and his girlfriend pay a considerable amount of rent.

Nicholase Salmon

Re: Displacement of Mission District Residents

- He has lived in the Mission District for about 12 years. During those 12 years, he has worked for non-profits.
- What is happening in the Mission is not development, it's class warfare.
- This has to stop and the Commission needs to decide which side they are on.

Rachel Waters

Re: Displacement of Mission District Residents

- She works in the Mission and lives in the Tenderloin.
- Because of the situation, she is being forced to look into Fresno for work. How is she supposed to raise her children like this?
- Please take consideration when the Commission makes decisions.

(Name unclear)

Re: Displacement of Mission District Residents

- She would like to continue living and working in her community by making a positive impact on her community.
- She has become a MAC member because she believes that this is the only way the Commission will listen to the people.
- She wants to make a difference to her neighborhood.

Julie (Last name not given)

Re: Displacement of Mission District Residents

- They have spoken to the Planning Commission, to the Supervisors and are tired of speaking.

- She invites the Commission to come to the streets and see what reality is all about.

James Washburn

Re: Displacement of Mission District Residents

- He is a 4th generation San Franciscan.
- He is wondering how people that live in the area will be able to continue living there.

Heather (Last name not given)

Re: Displacement of Mission District Residents

- She is a member of MAC
- She wants to demand that the Commission organize a community planning process immediately.
- Proposition M is being broken by the Commission.

Robert Erminger

Re: Displacement of Mission District Residents

- He has lived and worked in San Francisco for 18 years. 8 years in the Mission and 10 years in Bernal Heights.
- Housing is a human right and the Commission should remember that.
- Housing should not be determined by the market.

(Name not given)

Re: Displacement of Mission District Residents

- She is here on behalf of the day laborers association.
- It is so expensive to live in the Mission and these people are not able to afford to live there.

Deborah Cauffman

Re: Displacement of Mission District Residents

- She lives and works in the Mission District as a teacher.
- She has dedicated 10 years of her life to the youth and the community of the Mission District.
- She can't just walk up and leave just because she can't afford to live there.

Tommy (last name unclear)

Re: Displacement of Mission District Residents

- He comes here to support the neighbors in the Mission. He is a Castro Street resident.
- The Castro has also been gentrified. He is here to voice his opinion on no more development in the Mission. The Mission must be saved.

Luis Vasquez Gomes - Horizon Unlimited

Re: Displacement of Mission District Residents

- Most of the youth they represent have been evicted with their parents.
- He is here in solidarity with everyone that is here to protest what is going on in the Mission District.

Juan (last name not given)

Re: Displacement of Mission District Residents

- Diversity and culture make San Francisco the great city that it is.
- It is the responsibility of the Commission to make decisions for the people.
- Computers don't live in San Francisco, people do.

Rob Esherman - Housing Rights Committee of San Francisco

Re: Displacement of Mission District Residents

- He lives in the Mission. There are people at the housing authority who are being prosecuted for selling Section 11 rights to the highest bidder.
- The Commission is selling San Francisco to the highest bidder.

(Name not given)

Re: Displacement of Mission District Residents

- He has been waiting for a very long time and has been asking for affordable housing.
- Make live/work developments 10% affordable.

Allison (last name unclear) - Coalition on Homelessness

Re: Displacement of Mission District Residents

- There are a variety of issues in San Francisco right now. Everyone needs to look into their conscience and make decisions that help people instead of affect them.

James (last name unclear)

Re: Proposition 21

- Our youth is our heritage. Please don't harm them.

(First name unclear) Mejia

Re: Displacement of Mission District Residents

- San Francisco and the United States as a whole is in gross violation of human rights.

C. COMMISSIONERS' QUESTIONS AND MATTERS

4. Consideration of Adoption - draft minutes of August 3 and 10, 2000.

ACTION: Approved

AYES: Antenore, Joe, Theoharis, Mills, Chinchilla, Salinas

5. Commission Matters

Commission Theoharis: She would like a status report on 192 Majestic Avenue.

Commission Antenore: He would like to hear what was investigated regarding 268 Chennery Street.

D. DIRECTOR'S REPORT

6. Director's Announcements.
 - He would like to suggest that Item No. 8 be continued.
7. Review of Past Week's Events at the Board of Supervisors & Board of Appeals.

BOS - None

BOA:

Re: 268 Chenery Street

- There were 3 items which were under discussion: 1) a roof deck; 2) front deck parapet; and 3) height of the building.
- The BOA accepted some of the recommendation that the ZA made.
- The DR requestor was happy with the results.

E. REGULAR CALENDAR

8. (RICH: 558-6345)
General Plan Referral for urban design aspects of the Third Street Light Rail Project, including, station platforms, street lighting, trackway paving, and other urban design elements.
Preliminary Recommendation: Finding of conformance with the General Plan.

SPEAKER(S): None

ACTION: Without hearing, continued to September 14, 2000

AYES: Antenore, Joe, Theoharis, Mills, Chinchilla, Salinas

9. 99.821E (WYCKO: 558.5972)
166-178 TOWNSEND STREET Lot 12 of Assessor's Block 3788 on the north side of Townsend Street between Second and Third Streets at northeast corner of Townsend Street and Clarence Place - **Appeal of Preliminary Negative Declaration** for the proposed renovation and expansion of existing contributory building in the South End Historic District. The proposed project would convert a former auto repair garage to 24,999 square feet of office space and 25,000 square feet of business service/multimedia space, with 18 independently accessible or up to 35 valet parking spaces. An exception to San Francisco Planning Ordinance requirements would be sought under sections 161(M and 307(g). The rear interior of the existing structure would be new construction and would include replacement of the existing peaked roof, which has an average height of 42 feet, with a flat roof at a height of 50 feet. The interior of the front portion of the existing structure would be reconfigured but its exterior dimensions and roof height would be unchanged. The proposed site is located in a Service/Light Industrial (SLI) District
Preliminary Recommendation: Uphold Preliminary Negative Declaration
(Continued from Regular Meeting of July 27, 2000)

SPEAKER(S): **None**

ACTION: **Without hearing, continued to September 14, 2000**

AYES: **Antenore, Joe, Theoharis, Mills, Chinchilla, Salinas**

10. 1999.812E (DEUTSCH: 558-5965)
3200 CALIFORNIA STREET, JEWISH COMMUNITY CENTER OF SAN FRANCISCO; **Public Hearing on the Draft Environmental Impact Report (EIR)**. North side between Presidio Avenue and Walnut Street; Assessor's Block 1021, Lots 5, 6, 24, 25, 28, 29 and 31-37; within an RM-1 (Residential, Mixed, Low Density) Zoning District, the Sacramento Street Neighborhood Commercial District, and the 40-X Height and Bulk District. The proposed project would demolish the existing Jewish Community Center (JCC) and the four other structures on the project site for the construction of a three-story community center building containing approximately 120,225 gross square feet, excluding parking. The new building would range in height from about 50 to 61 feet. The new building would accommodate JCC community, recreational and educational uses which would be generally a continuation of its current programs. New or expanded space would include an expanded theater/auditorium, additional meeting rooms and classrooms, and a new restaurant and a retail store. The fitness and recreation facilities would be expanded to contain a lap pool, recreational pool and new workout areas. The project would provide up to 181 parking spaces in two below-grade parking levels in an approximately 89,000 gross-square-foot garage. The project includes the establishment of a proposed California Street and Presidio Avenue Community Center Special Use District, and modification of the Height and Bulk District from the current 40-X to a proposed 65-X.
Preliminary Recommendation: No Action Required
The public comment period for the draft EIR closes at 5:00 PM, on September 12, 2000.

SPEAKER(S):

(-) **Linaida Rabzinorich - Miraloma Park**

- She submitted letters stating their position regarding this project.

- Tenants will have to suffer from noise and fumes.

- There have been hundreds of signatures opposed to this project.

(-) **Eleanore Fried - Miraloma Park**

- She is opposed to the project.
- There will be tenants who are sick and disabled who will be evicted because of this construction.

- These people will never be able to live in San Francisco again.

(-) Samuel Crocker

- There were 7 units in the building which were illegally converted.
- The JCC purchased the building and evicted the tenants.
- If this project passes, there will be 7 less units of housing in the city.
- There are human lives which may not be adequately considered in this matter.

(+) John Rothmann - President of the Lorell Heights Improvement Association

- He speaks in favor of the JCC proposal.
- He grew up in the JCC building.
- The issue is not a question of the building, it is how the building can be used in the future.
- There are many problems and concerns that people have with this case, yet the people of the community--whether Jewish or not--will benefit from the services provided of the JCC.
- He loves the old building but welcomes the new building to provide the same services for everyone.

(+) Jack Rebholtz - President of the San Francisco Fire Department Credit Union

- He is here to speak in favor of the project.
- Although there are issues with parking, etc., he believes the JCC has dealt with this issue by providing underground parking.
- He finds the building warm and friendly yet the most important thing is what goes on in this building. There are many people who enjoy the services the JCC provides.

(+) Jackie Thompson - Manager of the Laurel Inn

- She is very pleased to have the JCC in her neighborhood.
- She belongs to the Laurel Merchant's Association
- Her business will be more affected by the construction of the building, yet she still believes in the project and supports it completely.

(+) Tuffy Bewtal - Tuffy's Hopscotch

- She is totally in support of the JCC.
- Parking is already bad in the neighborhood but still is in favor of the project.
- She can't see a better use for that space.

(-) Arnie Lerner - Architect

- He would like the hearing date of the Landmarks Advisory Board postponed because of Yom Kippur Holiday.
- There are several inaccuracies with the Negative Declaration report.

(neutral) Lucia Bogatay

- Now that this building is considered a landmark by the Landmarks Board, at what point does a significant negative impact of demolition rise to the level of legal obligation to preserve a building?
- Does the CEQA process contain any test for sincerity?
- She is familiar with the plans for the new building. She is aware that the scheme exceeds the height limit.

ACTION: Public hearing only. No action Required

11. 2000.009E (JAROSLAWSKY: 558-5970)
1800 MISSION STREET - THE ARMORY -Appeal of a Preliminary Negative Declaration.
Assessors block 3547, lot 001. The project site contains the State Armory building, a city landmark containing approximately 200,000 square feet. The proposed project includes rehabilitation of the building, addition and conversion of use from vacant to office use. The

total new square footage of the structure would be approximately 300,000 and would include 32 below-ground, off-street parking spaces and a loading area. There would be no substantial expansion of the building envelope. The 68,722 square foot project site is composed of one lot containing frontages on Mission, Fourteenth and Julian Streets. The site is within a C-M (Heavy Commercial) District and 65-B Height and Bulk District within the Mission District neighborhood. A variance would be required to provide fewer than the Planning Code required amount of parking and loading spaces.

Preliminary Recommendation: Uphold Preliminary Negative Declaration
(Continued from Regular Meeting of August 10, 2000)

SPEAKER(S): None

ACTION: Without hearing, continued to September 14, 2000 (not to be heard before 5:30 p.m.)

AYES: Antenore, Joe, Theoharis, Mills, Chinchilla, Salinas

- 12a. 1999.668\BEKX (NIXON: 558-6341)
38-44 TEHAMA STREET (also known as 543 Howard Street), north side of Howard Street between First and Second Streets, Lot 111 in Assessor's Block 3736 -- Request for Determination of Compliance pursuant to Section 309 with respect to a proposal (1) to renovate the existing building interior, including remodeling the foyer, adding three elevators and adding two new stairwells; (2) construct a third and fourth level atop the building to a new height of 64 feet along Tehama Street; and (3) convert up to 49,950 square feet on the first, mezzanine, second, third and fourth floors of the building to office use. The entrance to the office space would be on Howard street. Approximately 24,000 square feet of existing non-office space in the basement and in the rear of the first floor and first floor mezzanine would be retained. The entrance to the non-office space would be on Tehama Street. There is no parking on this site and none is proposed. The project is within a C-3-O (SD) (Downtown Office-Special Development) District and 200-X / 350-S Height and Bulk Districts.
 (Continued from Regular Meeting of August 17, 2000)

SPEAKER(S):

(+) Andrew Junius - Reuben and Alter representing Project Sponsor

- This project is located in a C3-O district and the Special Development Area.
- Office uses are encouraged in this district.
- This site is located near many projects that the Commission has approved.
- This area is fast becoming the new financial district.
- The existing tenants are non-conforming uses for this district.

(+) Clara Camorris - Project Architect

- The new design of the proposed building is compatible with the surrounding businesses.
- The new design will provide two designs: one in the front and one in the back which will provide a beautiful facade to both sides.
- The two uses will have their own addresses, two entrances and two elevator shafts which means that both uses are completely separate.

(+) Dave Tezolo - CAC Group

- There has been tremendous growth in business uses in San Francisco.
- This building will be delivering much needed space to businesses.
- This area is well served by public transportation.
- He intends to service the local retailers.
- Most prospects are awaiting the decision of the Commission.

(+) Robert Cameron - Bob Cameron Photography

- He is a great believer in the architecture of San Francisco.
 - This building will be a great asset to the South of Market area.
 - (+) Ed Polk - Handy Persons**
 - He is here to support this project.
 - He is a tenant of the building. He intended to purchase it but was unable to do so. Although the rent will be substantially higher, a Realtor was able to find a space for his business.
 - He supports the project because the developer will find more appropriate tenants for this building.
 - The developer will provide relocation assistance to the tenants who will be moving.
 - (+) Erik Robbins - Gordon Development**
 - He believes in keeping office where public transportation is accessible.
 - He feels very strongly about building office space near the train.
 - (-) Sue Hestor**
 - She copied down the list from staff recommendations on what are permissible uses. How many of these uses have been cleared by the OER?
 - What is the purpose of an environmental report if it doesn't describe the project.
 - (+) Joe O'Donahue**
 - It's great that we are able to attract young people.
 - This project deserves to be passed.
 - Evictions will continue because we have made artificial barriers.
- ACTION: **Approved with the condition that parking be removed**
 AYES: **Antenore, Joe, Theoharis, Mills, Chinchilla, Salinas**
 MOTION No. **15968**

- 12b. 1999.668\BEKX (NIXON: 558-6341)
38-44 TEHAMA STREET, (also known as 543 Howard Street), north side of Howard Street between First and Second Streets, Lot 111 in Assessor's Block 3736 -- Request under Planning Code Sections 320-322 (Office Development Limitation Program) to allow the creation of up to 49,950 square feet of office space in an existing industrially-occupied building of approximately 49,000 square feet proposed for expansion to approximately 73,000 square feet. Approximately 24,000 square feet of existing non-office space would be retained. The project is within a C-3-O (SD) (Downtown Office-Special Development) District and 200-X / 350-S Height and Bulk Districts.
 (Continued from Regular Meeting of August 17, 2000)

SPEAKER(S) **Same as item 12a.**
 ACTION: **Approved**
 AYES: **Antenore, Joe, Theoharis, Mills, Chinchilla, Salinas**
 MOTION No. **15967**

13. 1999.668\BEKX (NIXON: 558-6341)
38-44 TEHAMA STREET, (also known as 543 Howard Street), south side of Howard Street between First and Second Streets, Assessor's Block 3736, Lot 111, within a C-3-O(SD) (Downtown Office-Special Development District) and 200-X / 350-S Height and Bulk Districts -- Appeal to the Planning Commission of determination by staff of the Planning Department of square footage of office development pursuant to Section 313 of the Planning Code.
 (Continued from August 17, 2000 Hearing)

ACTION: **Motion to hear Item 13 before 12a and 12b.**
 AYES: **Antenore, Joe, Theoharis, Mills, Chinchilla, Salinas**

SPEAKER(S):

(-) Sue Hestor

- There is so much square footage being given to business/office use that it's no wonder why people are being cynical.
- This building was occupied by industrial business, which were removed.
- She would like to know what the use and/or who will be the tenants of this building. Will they be industrial?

(+) Andrew Junius - Reuben and Alter representing Project Sponsor

- Nothing Ms. Hestor has written or spoken about challenges the number of square footage.
- She states nothing of where they made a mistake in measuring this project.

ACTION: **Uphold Staff Determination**

AYES: **Antenore, Joe, Theoharis, Mills, Chinchilla, Salinas**

MOTION No. **15966**

- 14a. 2000.725C (KEYLON: 558-6613)
2500 MARKET STREET, north side between Diamond and Castro Streets, thru lot from Market Street to 17th Street, Lot 1 in Assessor's Block 2648- Request for Conditional Use Authorization under Planning Code Section 209.2(a) to use the existing structure as transitional housing for up to 15 homeless youths within an RH-3 (Residential, House, Three-Family) District and 40-X Height and Bulk District. The Zoning Administrator will conduct a joint hearing on a request for an off-street parking variance under Planning Code Section 151 and usable open space variance under Planning Code Section 135.
 Preliminary Recommendation: Approval with conditions
 (Continued from Regular Meeting of August 24, 2000)

SPEAKER(S): **None**

ACTION: **Without hearing, continued to September 28, 2000**

AYES: **Antenore, Joe, Theoharis, Mills, Chinchilla, Salinas**

- 14b. 2000.725V (KEYLON: 558-6613)
2500 MARKET STREET, north side between Diamond and Castro Streets, thru lot from Market Street to 17th Street; Lot 1 in Assessor's Block 2648 in an RH-3 (Residential House, Three-Family) District and 40-X Height and Bulk District. OFF-STREET PARKING AND USABLE OPEN SPACE VARIANCES SOUGHT: The proposal is to establish transitional housing for up to 15 homeless youths in the currently vacant two-story, former City Athletic Club building, without providing any required off-street parking or usable open space.
 (Continued from Regular Meeting of August 24, 2000)

SPEAKER(S): **None**

ACTION: **Without hearing, continued to September 28, 2000**

15. 2000.666C (KEYLON: 558-6613)
4515A - 18TH STREET, south side between Clover and Douglass Streets, Lot 44 in Assessor's Block 2691- Request for Conditional Use Authorization under Planning Code Sections 209.2(d) to establish a bed and breakfast inn, with two guestrooms, within the upper unit of an existing three story, two-unit building in an RH-2 (Residential, House, Two-Family) District and 40-X Height and Bulk District.
 Preliminary Recommendation: Approval with conditions

SPEAKER(S):

(+) (First Name unclear) Rosenshine

- He has been a resident of San Francisco for many years.
- He is a member of the Eureka Valley Promotions Association
- This project is desirable for the neighborhood.
- The building is architecturally significant.
- He lives on the property.

(+) Brian Fogarty

- He is an attorney who represents 15 immediate neighbors
- They circulated a number of questions to the neighbors and everyone was supportive of this project.

(+) Lion Barnett - President of the Eureka Valley Promotions Association

- The project sponsor came to them for this proposal.
- They believe that the project sponsor is very cooperative with the neighborhoods

(+) Mary Coomey

- She has lived in the neighborhood for 43 years.
- She is totally supportive of the project.

(+) Chris May

- He owns the other unit of the property.
- He supports the project completely.
- He decided that it's in his general interest to support the inn.

**ACTION: Public Hearing Closed. Intent to Disapprove.
Final Action scheduled for September 14, 2000.**

AYES: Antenore, Theoharis, Chinchilla, Salinas, Mills

NAYES: Joe

16. 2000.099CD (KIM: 558-6290)
1306- 10TH AVENUE, east side between Irving and Judah Streets; Lot 041 in Assessor's Block 1764 - Request for Conditional Use Authorization pursuant to Section 711.39 of the Planning Code to demolish an existing single-family dwelling and construct a new three-story-over-garage, three-unit building in a NC-2 (Small-Scale Neighborhood Commercial) District, and pending Inner Sunset Neighborhood Commercial District and a 40-X Height and Bulk District.
Preliminary Recommendation: Approval with conditions

SPEAKER(S):

(+) Jerry Cline - Representing Project Sponsor

- This is a residential in-fill project.
- He has responded to all the concerns of the department.
- They have maintained the facades of the 3 buildings.
- These buildings are not rated.
- They have cooperated in every way with the Department.

(-) Jim Weslowsky - DR filer

- No one substantially challenged the historical significance of these buildings.
- This property was subject to a Commission review which was case number 1989.339C.

(-) Peter Schumacher

- Replacing an existing single family house is out of scale with the neighborhood.

(-) James Hingley

- This structure is well worth preserving.
- These homes are restorable and have many assets.
- He and his wife have restored a building on 10th Avenue.

(-) John Bardis

- He would like the Commission to take Discretionary Review and disapprove the project.
- Although these buildings might not be sound, the buildings can be restored and brought up to code.
- There is an obligation to maintain housing in San Francisco.

- Single family homes are the most scarce commodity in this city.

(+) Shei Ng

- She lives on 10th Street.
- She bought this property many years ago. Her husband is a contractor.
- San Francisco is in need of housing.

ACTION: Public hearing closed. Intent to Disapprove. Final Motion scheduled for September 14, 2000.

AYES: Antenore, Joe, Theoharis, Chinchilla, Salinas

NAYES: Mills

17. 2000.099D (KIM: 558-6290)
1306 10TH AVENUE, east side between Irving and Judah Streets, Lot 041, Assessor's Block 1764. Request for Discretionary Review of PBA Nos. 9913261 and 9913262, for the demolition of the two-story-over-garage, single-family dwelling and new construction of a three-story-over-garage, three unit building with its required off-street parking spaces. The subject property is zoned NC-2 (Small-Scale Neighborhood Commercial) District and pending Inner Sunset Neighborhood Commercial District and a 40-X Height and Bulk District. The proposal is within the buildable area and meets all Planning Code requirements. Preliminary Recommendation: Do not take DR and approve project as submitted.

SPEAKER(S): None

ACTION: Based on the Commissions motion of intent to disapprove the proposed project outlined in item 16, the project proposed in this item is no longer before the Commission for consideration.

18. 2000.210C (MARTIN: 558-6616)
2773 FOLSOM STREET, east side between 23rd and 24th Streets, Lot 027 in Assessor's Block 3640 - Request for a Conditional Use Authorization to allow the construction of four dwelling units at a density ratio up to one dwelling unit for each 1,500 square feet of lot area (Section 209.1(g) of the Planning Code) in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Approve with conditions.

SPEAKER(S):

Doug Thompson - Project Architect

- He has worked very hard to meet the needs of the Department.
- The current structure is a boiler manufacturer.

ACTION: Approved with conditions

AYES: Antenore, Joe, Theoharis, Salinas, Mills

ABSENT: Chinchilla

MOTION No.: 15969

19. 2000.538C (MARTIN: 558-6616)
3333 - 25TH STREET, also known as 1045 Capp Street, at the southeast corner of 25th Street and Capp Street, Lot 045, Assessor's Block 6527 -- Request for Conditional Use Authorization under Section 209.6(b) of the Planning Code to install a total of sixteen (16) antennae on the roof of the existing building, comprised of four (4) sectors with four (4) antennae per sector, with the base transceiver station to be located on the roof, as part of a wireless communication network in an RM-2 (Residential, Mixed) Moderate Density Zoning District and 50-X Height and Bulk Districts.
 Preliminary Recommendation: Approve with conditions

SPEAKER(S):

Robert McCarthy - law office of McCarthy and Schwartz - representing Project

Sponsor, Metricom

- Two meetings were held at the Mission Cultural Center. One in the afternoon and one in the evening.
- One person, who spoke English, suggested that the meeting be bilingual.
- He feels that they have adequately notified the neighbors.
- The location is a preference 1 location since it's a switching station for a Pac Bell building.
- Because this is a sensitive issue, he will look into the matter of finding out how many people speak different languages.

(-) Christine Haupt-Wemmer

- The language notification is an issue.
- The meetings were held in the Mission District, yet Metricom stated they didn't know most of the residents spoke other languages. Yet, the district is mostly Hispanic.
- Most of the people who attended the meetings were English-speaking residents because they understood the notice. She believes that there would have been more residents who could have attended the meeting if the notices were bilingual.

(-) Elizabeth Bell

- She quoted a statement from the Planning Department Guidelines on antennas.
- If this application is approved, there will be 22 antennas in one location, making the location an antenna farm.
- She would like to request from the Board of Supervisors that they pass legislation that no more antennas would be installed at this location.

(-) Pat Gerber

- She would like to address the fact that the posters placed on the site of the building were incorrect since 1045 Capp Street is a Senior Citizen center for Latinos.
- Although the site is a preference 1 location, it is only because there is a Pacific Bell building.
- She would like to request a variance be sought for this building.

(-) Daryll (last name unclear)

- He lives about 20 feet from the proposed site.
- From what he has read, Americans are being exposed to high levels of radiation.
- He disapproves of having antennas installed at this location.

ACTION: Continued to September 21, 2000 to allow time for bilingual notification and neighborhood meetings. The public hearing will remain open.

AYES: Antenore, Joe, Theoharis, Salinas

NAYES: Mills

ABSENT: Chinchilla

20. 2000.262C (CHIN: 575-6897)
 930 GOUGH STREET, northwest corner at Turk Street; Lot 009 in Assessor's Block 0744: --
 Request for Conditional Use authorization pursuant to Section 209.6 of the Planning Code to install a total of two antennas and a base transceiver station on an existing three-story building, known as St. Paulus Lutheran Church, as part of Sprint's wireless telecommunications network in an RM-4 (High Density) District and a 80-B Height and Bulk District.
 Preliminary Recommendation: Approval with conditions

SPEAKER(S):**(+) Robert Crebs - Project Sponsor Representing Sprint PCS**

- A community outreach meeting was held and various neighbors attended. Questions and issues were addressed from everyone who attended.

ACTION: Approved with conditions

AYES: Antenore, Joe, Theoharis, Mills, Salinas

ABSENT: Chinchilla

MOTION No.: 15970

21. 2000.425C (TAM: 558-6325)
1649 OCEAN AVENUE, southeast corner of Ocean Avenue and Faxon Avenue; Lot 27 in Assessor's Block 6935 - Request for a Conditional Use authorization to allow the establishment of a public use (Ingleside Branch public library) in a building previously used as a bank, pursuant to Planning Code Section 711.83, in an NC-2 (Small-Scale Neighborhood Commercial) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Approval with conditions

SPEAKER(S): **None**
ACTION: **Approved with conditions**
AYES: **Antenore, Joe, Mills, Theoharis, Salinas**
ABSENT: **Chinchilla**
MOTION No. **15971**

22. 2000.742Z (LORD: 558-6311)
INNER SUNSET NEIGHBORHOOD COMMERCIAL DISTRICT - Consideration of proposed map amendments to reclassify the following Assessor's Blocks and Lots from Inner Sunset Neighborhood Commercial District, zoning to RH-2 (Residential, House, Two-Family) District. Street Address (Assessor's Block/Lot) - 1314 - 10th Avenue (1764/039), 1310 - 10th Avenue (1764/040), and 1306 - 10th Avenue (1764/041).

SPEAKER(S):
(+) **Peter Schmacker**
- He lives on 10th Avenue.
- Any commercial use on 10th Avenue is not appropriate. Therefore, he is in support of rezoning this area to residential.
- Parking on that block is very difficult. To having commercial use would make it worse.

(+) **Jim Weslowski**
- He owns one of the 3 lots. He supported rezoning 3 years ago and he hasn't changed his mind.

(+) **Jim Henley**
- Many neighborhood associations support this rezoning.

ACTION: **Approved**
AYES: **Antenore, Joe, Mills, Theoharis, Salinas**
ABSENT: **Chinchilla**
RESOLUTION No. **15972**

23. 98.281Z (GORDON: 558-6309)
185 BERRY STREET, China Basin Landing Project; Lot 5 in Assessor's Block 3803 (bounded by Third, Berry and Fourth Streets and the China Basin Channel) -- Request under Planning Code Section 302 for an amendment to the Planning Code's zoning map to change the height and bulk district classification on Assessor's Block 3803, Lot 5 from 60-X to 90-X to allow the construction of a three-story vertical addition to an existing three-story, 40-foot tall building for a total height of approximately 87 feet. The proposed project at the site would contain up to 120,000 gross square feet of office space and up to 54 dwelling units. The property is within a M-2 (Heavy Industrial) District, the Mixed Use Housing Area of the IPZ Industrial Protection Zone), the proposed Ballpark Vicinity Special District's South End Office District, and is currently within the 60-X Height and Bulk District.
Preliminary Recommendation: Adopt a resolution of intent to initiate the Zoning Map amendment; Recommend adoption to the Board of Supervisors.
(Continued from Regular Meeting of August 24, 2000)

SPEAKER(S):

(+) David Cincatta - representing project sponsor

- This is the only site that is not in the Redevelopment zoning area.
- Some of the aspects of the project are still being dealt with.
- He is working with the Citizens Advisory Committee of Mission Bay.

(+) Jeffrey Leibovitz - Rincon Point/South Beach Advisory Committee

- Their advisory committee took a unanimous vote on the access issue regarding the wharf. They believe that at some point they might entice the developer into opening up the gates or removing them completely.

ACTION: **Approved**
 AYES: **Antenore, Joe, Mills, Theoharis, Salinas**
 ABSENT: **Chinchilla**
 RESOLUTION No. **15973**

24. 1998.953E (NAVARRETE: 558-5975)
557 FOURTH STREET-- Certification of Environmental Impact Report. On Assessor's Block 3776, Lots 119 and 62, the project would demolish an existing building on the southeastern portion of the 70,400-square-foot project site, subdivide the project site into 12 equal-sized air parcels, and construct a four-story, 55-foot-tall wood frame live/work building on each air parcel. A total of 188 live/work units, occupying approximately 227,000 square feet, would be constructed along with approximately 13,000 square feet of retail space for four to six commercial tenants, which would be provided on the ground floor of the two buildings with frontage on Fourth Street. A three-level underground parking garage would occupy the entire site and would provide 188 private parking spaces (one per live/work unit), 292 public parking spaces, and 2 off-street loading spaces. The garage would be accessible on Welsh and Freelon Streets in the middle of the project block. The project site is in SLI (Service Light Industrial) District, and is in a 50-X Height and Bulk District. **Note: Public comment and testimony is NOT taken by the Planning Commission hearings for certification of Final Environmental Impact Reports. Public comment on this issue may be presented to the Planning Commission during the Public Comment portion of the Commission calendar.**
 Preliminary Recommendation: Certify Environmental Impact Report

SPEAKER(S): **None**
 ACTION: **Approved**
 AYES: **Antenore, Joe, Mills, Theoharis, Salinas**
 ABSENT: **Chinchilla**
 MOTION No. **15974**

NOTE: Items 25 and 26 were called and heard together.

25. 1998.953CD (GORDON: 558-6309)
557 4TH STREET, entire block bounded by 4th, Welsh, Zoe and Freelon Streets (except for the existing building at the corner of Zoe and Freelon Streets which is Lot 62 in Assessor's Block 3776), Lot 119 in Assessor's Block 3776 -- Request for Conditional Use Authorization to allow the construction of a Public Automobile Parking Garage (as defined by Planning Code Section 890.12) per Planning Code Section 816.30, and to allow parking in excess of accessory amounts per Planning Code Section 204.5. The site is within the SLI (Service/Light Industrial) District, a 50-X Height and Bulk District, the Industrial Protection Zone's Mixed Use Housing Buffer and the proposed Ballpark Vicinity Special Use District's South End Service District.
 Preliminary recommendation: Approval with Conditions
 (Continued from Regular Meeting of August 24, 2000)

SPEAKER(S):

(+) Alice Barkley

- There is a letter of opposition which states issues regarding parking, view blockage, etc.
- All issues were answered in the EIR.

(neutral) Perry Tomei

- He owns property on Zoe Street.
- He would like to receive the new plan for the project so he can review it.

(neutral) Jeff Gotelli

- He is a San Francisco resident and business owner.
- He has major concerns of this development because the proposed building will be directly abutting his property.
- He would like time to inspect structural drawings.
- He would like as a condition that sellers of these units advise buyers that there is a shop next door.

(-) Sue Hestor

- This is the largest live/work project ever.
- There are many live/work developments that are being used as businesses.
- The staff report does not talk about affordable housing.
- It's hypocritical that the Commission cries about housing which is affordable and this project does not have 1 unit which is labeled affordable.

(-) Eric Quesada - Mission Anti-Displacement Coalition

- Although this project is out of his neighborhood, it is outrageous that not 1 of these units is labeled affordable.
- He met with people from the Filipino community regarding evictions that they are facing.
- He would like the Commission to turn this project down.

(+) Joe O'Donahue

- The courts have continually ruled that it is illegal to exact from housing projects unless we are getting an additive such as increased density. This lot is totally under-utilized.
- This project is not required to provide affordable units. This project has long been overdue.
- Joe Cassidy has never been found guilty of what Ms. Hestor is expressing regarding conversions.

(+) Joe Cassidy

- He has been working on this project for over 2 years.
- It has been a long process to deal with the EIR.

ACTION: Approved as amended: page 6, #2 -- change language to read "...lease up to 30%..."

AYES: Antenore, Joe, Mills, Theoharis, Salinas

ABSENT: Chinchilla

MOTION No.: 15975

G. SPECIAL DISCRETIONARY REVIEW HEARING

At Approximately 8:08 P.M. the Planning Commission convened into a Special Discretionary Review (DR) Hearing.

26. 1998.953CD (GORDON: 558-6309)
557 4TH STREET, entire block bounded by 4th, Welsh, Zoe and Freelon Streets (except for the existing building at the corner of Zoe and Freelon Streets which is Lot 62 in Assessor's Block 3776), Lot 119 in Assessor's Block 3776-- Staff Initiated Discretionary Review of Building Permit Application Nos. 9825943 through 9825955, submitted 12/19/98, for development of 11 four-story live/work buildings with 172 live/work units (about 194,200 gross square feet), in conjunction with the construction of four to six commercial/retail spaces

and an approximately 183,700 gross square foot, three-level underground parking garage with 480 spaces. The site is within the SLI (Service Light/Industrial) Zoning District, a 50-X Height and Bulk District, the Industrial Protection Zone's Mixed Use Housing Buffer and the proposed Ballpark Vicinity Special Use District's South End Service District.
Preliminary Recommendation: Take DR, approval of project with conditions.
(Continued from Regular Meeting of August 24, 2000)

SPEAKER(S): Same as item 25
ACTION: Do not take DR and approve project as submitted
AYES: Joe, Mills, Theoharis, Salinas
NAYES: Antenore
ABSENT: Chinchilla

27. 2000.793D (KEYLON: 558-6613)
 4832 17TH STREET, Lot 011, Assessor's Block 1287. Request for Discretionary Review of PBA No. 200005220633, proposal is to construct a 3rd floor on top of an existing, two-story, single family dwelling, and to extend the 1st floor 3'3" at the rear within an RH-2 (Residential, House, Two-Family) District; and a 40-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary Review and approve the Building Permit Application as submitted.

SPEAKER(S):
(+) Michael Cruz
 - Resident of Cole Valley.
 - He reviewed 3 potential solutions and offered them to his neighbors.
 - The responses to the solutions were either that it was too expensive, not feasible, not interested.
 - He understands the desire to build a 3rd story and would like to collaborate and find a solution to the proposed design.
 - Although his solutions were dismissed, they are not the only solutions and he is willing to cooperate.
(+) Jim (last name unclear)
 - His project was carefully designed with the Residential Guidelines in mind.
 - Staff gave the design positive remarks.
(+) (name not provided)
 - The DR requestor purchased the property about 2 months ago.
 - He met with the previous owners of the DR requestor's home and they did not have any opposition to the proposed construction. When they found out that the property was for sale, he advised the selling agent about the construction and requested that the agent advise interested purchasers about the proposed construction. The agent did advise the DR requestor about this.

ACTION: Do not take DR and approve project with the following conditions: 1) that the sponsor agree to landscape the west wall to benefit the neighbor 2) installation of a skylight in the affected area.
AYES: Antenore, Joe, Mills, Theoharis, Salinas
ABSENT: Chinchilla

28. 2000.780D (BANALES: 558-6309)
 120 14th STREET -Building Permit Application No. 2000/01/29/595, for the property at 120 -14th St./1740 Folsom St., Assessors Block 3530/Lot 2. Discretionary Review is requested of a Building Permit proposing conversion of a 16,500 square foot industrial building/warehouse to an Internet Technology/Business Service use. The property is in a M-1 (IPZ Buffer) Zoning District and 40-X Height and Bulk District.
 Preliminary recommendation: Do not take Discretionary review and approve building permit

application as proposed.

SPEAKER(S):

(-) Sue Hestor

- List of addresses of project conversions which had no hearings or no environmental reviews: 375 Alabama; 660 Alabama; 2830 Alameda; 350 Florida; 1504 Bryant street; 1550 Bryant; 1590 Bryant; 2044 Bryant; 121 Capp; 346 Fair Oaks; 1740 Folsom; 2100 Folsom; 2030 Harrison; 2121 Harrison; 2300 Harrison; 2440 Mariposa; 1800 Mission; 1875 Mission; 1985 Mission; 2712 Mission; Bay View Bank Building; 339 Shotwell; 351 Shotwell; 450 Shotwell; 454 Shotwell; 577 Shotwell; 583 Shotwell; 400 Treat; 1643 Valencia; 550 15th Street; 2701 16th Street; 2742 17th Street; 3057 17th Street; 3175 18th Street; 3221 20th Street; 2831 21st Street, 2619 22nd Street.
- The purpose of an IPZ is dot.coms
- This is a partial list only.
- Where is the Mission rezoning?
- The ZA needs to find a way to solve this problem.

(-) Eric Quesada - Mission Anti-Displacement Coalition

- There has been a cumulative affect when one-by-one these projects are approved without proper hearing.
- He wants a planning process established.
- This particular developer has come to them and treated them properly to find ways to solve issues and not cause more.

(-) Luis Granados

- There should definitely be discretionary review on this project.
- There hasn't been time allowed for the community to speak on this issue.
- The Commission has the discretion to make policy decisions. Yet the Commission is not making the right decisions because they are not listening to people's comments.

(-) Rosa Velez

- She was born and raised in the Mission District.
- She is also a City Commissioner, she is a member of Instituto Familiar de la Raza, the Merchant's Association of the Mission; member of Latino Democratic Club, on the Board of San Francisco Beautiful. She was also Vice President of the Bay View bank.
- She is concerned with her neighborhood.

(+) Howard Wechsler

- They need this project to move forward.
- The issues are of a lack of planning and determinations that the ZA has made.
- Would like the Commission to not take DR and approve the project. They will continue to try to work with the community and try to find ways to generate housing in the area.

(+) Mark Nelson

- Owner of the project
- They have had many meetings with Ms. Sue Hestor and the Coalition.
- He would be willing to participate with them in seeing this community grow in any way.
- They are trying to develop this small building and seismically upgrade it.
- They are providing parking for 14 cars so parking will not be an issue.

ACTION: Do not take DR and approve project as proposed.

AYES: Antenore, Joe, Mills, Theoharis, Salinas

ABSENT: Chinchilla

Public Comment continued:

Luis Morales

Re: Displacement of Mission District Residents

- There are 850,000 square feet of office space being approved and working class people are being evicted, small businesses are shutting down, etc. - these are the reasons why

people are so upset.

- It's great that people are being educated with the planning process yet the reason is because they are being displaced on a regular basis.
- Ms. Theoharis needs to do something so that riots are not started again.

Rosa Velez

Re: Displacement of Mission District Residents

- She is on several boards in the Mission.
- A lot of people are concerned of what will happen to their lives.
- There have been many speakers who have gone over their 3 minutes and they are not penalized.

Sue Hestor

Re: Live/work Developments

- People have been hear on live/work for 4 years. The issue has been deferred and deferred.
- Supervisor Leno's legislation is coming up in the advanced calendar.

Adjournment: 9:11 p.m.

THE DRAFT MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, OCTOBER 5, 2000.

SF
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9/14/00

SAN FRANCISCO PLANNING COMMISSION

Meeting Minutes

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, September 14, 2000

1:30 PM

Regular Meeting

DOCUMENTS DEPT.

FEB 15 2001

SAN FRANCISCO
PUBLIC LIBRARY

PRESENT: Antenore, Joe, Salinas, Theoharis, Chinchilla
ABSENT: Mills

THE MEETING WAS CALLED TO ORDER BY PRESIDENT THEOHARIS AT 1:43 P.M.

STAFF IN ATTENDANCE: Gerald G. Green - Director of Planning; Larry Badiner - Zoning Administrator; Catherine Keylon; Tony Kim; Craig Nikitas; Judy Martin; Jim Miller; Kelley LeBlanc; Nora Priego - Transcription Secretary, Linda D. Avery - Commission Secretary

A. ITEMS PROPOSED FOR CONTINUANCE

1. 1999.543DD (WOODS: 558-6315)
338 - 12TH AVENUE, east side between Geary Boulevard and Clement Streets, Lot 33 in Assessor's Block 1443 -- Request for Discretionary Review of BPA No. 9901007S, proposing to add a new fourth floor, front, side, and rear additions to the existing single-unit building at the front of the property only in an RM-1 (Residential, Mixed, Low Density) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve building permit application as revised.
Note: On June 8, 2000, following public testimony, the Commission closed public comment and continued the matter to give staff time to review permit history.
(Continued from Regular Meeting of August 10, 2000)
(Proposed for Continuance to October 5, 2000)

SPEAKER(S): None

ACTION: Continued to October 5, 2000

AYES: Antenore, Joe, Theoharis, Chinchilla, Salinas
ABSENT: Mills

2. 2000.291CZ (WOODS: 558-6315)
1062 OAK STREET, north side, between Divisadero and Scott Streets, Lot 19 in Assessor's Block 1216 - Request to amend the Planning Code Zoning Map to reclassify a portion of Lot 19 from an RH-3 (Residential, House Districts, Three-Family) Zoning District to an NC-2 (Small-Scale Neighborhood Commercial District) Zoning District. Currently, the northern portion of Lot 19 (trapezoidal-shaped of approximately 113 feet wide by 82 feet deep) is zoned RH-3 and is in a 40-X Height and Bulk District; the southern portion of Lot 19 (a narrow strip of approximately 25 feet wide by 90 feet deep) is zoned NC-2 and is in a 65-A Height and Bulk District. The proposal is to reclassify the RH-3 portion of Lot 19 to NC-2 to allow the expansion of an existing car wash (Touchless Car Wash). The Height and Bulk District of the reclassified portion of Lot 19 would remain 40-X.
Preliminary Recommendation: Adoption of the Draft Resolution for Reclassification.
NOTE: On August 24, 2000, after public testimony, the Commission closed public comment and continued the matter to September 14, 2000 to allow the project sponsor time to meet with neighborhood groups and develop modifications to the project. Public comment will be re-opened to proposed modifications only.
(Proposed for Continuance to October 12, 2000)

SPEAKER(S): None
ACTION: Continued to October 12, 2000
AYES: Antenore, Joe, Theoharis, Chinchilla, Salinas
ABSENT: Mills

3. 2000.291CZ (WOODS: 558-6315)
444 DIVISADERO STREET AND 1052-62 OAK STREET, northeast corner of Oak and Divisadero Streets, Lots 5, 17, 18 and 19 in Assessor's Block 1216 - Request for Conditional Use Authorization under Sections 186.1, 209.7, 303, 304 and 711.59 of the Planning Code to permit a Planned Unit Development for the expansion of an existing car wash (Touchless Car Wash) in an NC-2 (Small-Scale Neighborhood Commercial District) Zoning District with 65-A and 40-X Height and Bulk Districts.
Preliminary Recommendation: Approval with conditions.
NOTE: On August 24, 2000, after public testimony, the Commission closed public comment and continued the matter to September 14, 2000 to allow the project sponsor time to meet with neighborhood groups and develop modifications to the project. Public comment will be re-opened to proposed modifications only.
(Proposed for Continuance to October 12, 2000)

SPEAKER(S): None
ACTION: Continued to October 12, 2000
AYES: Antenore, Joe, Theoharis, Chinchilla, Salinas
ABSENT: Mills

4. 2000.572C (BORDEN: 558-6321)
2543 NORIEGA STREET, southeast corner of 33rd Avenue and Noriega Street; Lot 10 in Assessor's Block 2069 -- Request for Conditional Use authorization to allow the installation

of three antennas, all at the roof of the existing building, and five equipment cabinets at the first floor, as part of a wireless telecommunications network operated by Sprint PCS, pursuant to Planning Code Section 711.83, in the NC-2 (Small-Scale Neighborhood Commercial) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Approval with conditions.

(Proposed for Continuance to ~~October 12, 2000~~ November 16, 2000)

SPEAKER(S): None

ACTION: Continued to November 16, 2000

AYES: Antenore, Joe, Theoharis, Chinchilla, Salinas

ABSENT: Mills

5. 2000.397C (KIM: 558-6290)
1850 IRVING STREET, northeast corner at Irving Street and 20th Avenue; Lot 025 in Assessor's Block 1731- Request for Conditional Use Authorization to allow the installation of 16 panel antennas and an interior equipment shelter on the ground floor of an existing mixed-use building as part of a wireless telecommunication network, pursuant to Planning Code Section 711.83, in an NC-2 (Small-Scale Neighborhood Commercial) District and a 105-A Height and Bulk District. The proposal is to construct a fiberglass extension to an existing rooftop penthouse and flush mount a total of 16 panel antennas on all four sides. Each antenna measures approximately 36" tall by 10.25" wide and 3" deep. The top of the antennas would be approximately 115'-6" above sidewalk grade. All antennas would be painted to match the fiberglass penthouse. The equipment cabinet would be located on the ground floor and would not be visible from the street.
Preliminary Recommendation: Approval with conditions.

(Proposed for Continuance to ~~September 21, 2000~~ September 28, 2000)

SPEAKER(S): None

ACTION: Continued to September 28, 2000

AYES: Antenore, Joe, Theoharis, Chinchilla, Salinas

ABSENT: Mills

6. 2000.427C (CHIN: 575-6897)
2201 VAN NESS AVENUE, northeast corner at Broadway; Lot 007, in Assessor's Block 570: Request for Conditional Use authorization pursuant to Section 209.6 of the Planning Code to install a total of three antennas and a base transceiver station on an existing four-story building (Broadway Manor Motel) as part of Sprint's wireless telecommunications network in an RC-3 (Residential Commercial, Medium Density) District and a 80-A/80-D Height and Bulk District.
Preliminary Recommendation: Approval with conditions.

(Proposed for Continuance to November 16, 2000)

SPEAKER(S): None

ACTION: Continued to November 16, 2000

AYES: Antenore, Joe, Theoharis, Chinchilla, Salinas

ABSENT: Mills

7. 2000.118E (BUFORD: 558-5973)
HARDING GOLF COURSE, **Appeal of Preliminary Negative Declaration**. The proposed project involves the upgrading and minor changes in the layout of Harding Park Golf Course,

an 18-hole course located at Lake Merced in southwestern San Francisco. The existing nine-hole Fleming Course would not be substantially altered. The proposed project would include: removal of all existing grasses, replanting of tees, fairways, greens, and roughs with new grasses; realignment of the 13th fairway and green and relocation of the 18th green; and minor repositioning of several other greens and tees. Excavation and shaping of the ground surface would be required, generally to a depth of one foot or less. All existing buildings, including the clubhouse and pro shop, restaurant, cart barn, and maintenance building (totaling about 17,500 sq. ft. of floor area), would be demolished and replaced with new structures that would have approximately 30,000 sq. ft. of floor area. New structures include a combined and larger restaurant and clubhouse, and banquet facilities for group events. The proposed project would include construction of a driving range at a new location, double-decked with lighting to allow nighttime use; the existing driving range would be upgraded. Artificial turf would be used on the driving ranges. New irrigation systems would be installed on both the Harding and Fleming courses. Existing parking lots would be demolished and replaced at generally the same location as the main lot; about 50 parking spaces would be added. About 120 mature trees – mostly eucalyptus, cypress, and pine – would be removed as part of the project; additional trees may be removed as part of a city plan to replace existing trees that are nearing the end of their life span. No wetlands would be affected by project-related construction. The project site is in a P (Public) Use District and an OS (Open Space) Height and Bulk District, and is within the Local Coastal Zone permit area. Preliminary Recommendation: Uphold Preliminary Negative Declaration. (Continued from Regular Meeting of August 17, 2000)

(Proposed for Continuance to ~~October 5, 2000~~ September 28, 2000)

SPEAKER(S): **None**

ACTION: **Continued to September 28, 2000**

AYES: **Antenore, Joe, Theoharis, Chinchilla, Salinas**

ABSENT: **Mills**

8. 2000.685C (KIM: 558-6290)
2020 MARKET STREET, north side at the intersection of Market Street and Duboce Avenue; Lot 001 in Assessor's Block 3536 - Request for Conditional Use Authorization to amend an existing Conditional Use Approval (Motion No. 14473) to expand an existing outdoor activity area pursuant to Planning Code Section 712.24, in an NC-3 (Moderate-Scale Neighborhood Commercial) District and a 40-X/80-B Height and Bulk District. The proposal is to expand the outdoor activity area by approximately 90 square feet at the front of an existing Large Fast Food Restaurant (Fresh Latitudes World Cafe, A.K.A. World Wrapps, Inc.) With an additional four table sand 12 seats. Currently, the restaurant has 12 existing outdoor seats and four tables. With the proposed addition, there would be a total of 24 outdoor seats and eight tables.
 Preliminary Recommendation: Approval with conditions.
(Withdrawn)

SPEAKER(S): **None**

ACTION: **Withdrawn**

9. 99.821E (WYCKO: 558.5972)
166-178 TOWNSEND STREET Lot 12 of Assessor's Block 3788 on the north side of Townsend Street between Second and Third Streets at northeast corner of Townsend Street and Clarence Place - **Appeal of Preliminary Negative Declaration** for the proposed

renovation and expansion of existing contributory building in the South End Historic District. The proposed project would convert a former auto repair garage to 24,999 square feet of office space and 25,000 square feet of business service/multimedia space, with 18 independently accessible or up to 35 valet parking spaces. An exception to San Francisco Planning Code parking requirements would be sought under sections 161(M and 307(g). The rear interior of the existing structure would be new construction and would include replacement of the existing peaked roof, which has an average height of 42 feet, with a flat roof at a height of 50 feet. The interior of the front portion of the existing structure would be reconfigured but its exterior dimensions and roof height would be unchanged. The proposed site is located in a Service/Light Industrial (SLI) District.

Preliminary Recommendation: Uphold Preliminary Negative Declaration
(Continued from Regular Meeting of September 7, 2000)
(Proposed for continuance to September 21, 2000)

SPEAKER(S): None
ACTION: Appeals Withdrawn

B. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes. If it is demonstrated that comments by the public will exceed 15 minutes, the President or chairperson may continue Public Comment to another time during the meeting.

"The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

Patricia Vaughey - Cow Hollow Neighbors in Action

Re: 2844 Greenwich Street

- The penthouse at this property has not been totally torn down even though the Commission voted to do so.
- The owner continues to refuse to follow instructions from the Commission.
- She would like the Department and Commission to start charging a \$500 a day fine.

Gretchen Hildebran

Re: Violent Treatment against people working towards alternate vision of City Planning

- She was here a week ago when a group of people came to the meeting to protest against what is happening in the Mission District.
- She is addressing her comments to Ms. Theoharis.
- She doesn't believe that the procedures were conducted properly.
- Good communication needs to be established in order for something to be done.

Sue Hestor

Re: Impacts of establishing utility installation buildings for Internet businesses

- There are two matters on today's agenda which bare on utility installations of Internet businesses.
- The Planning Code doesn't address the issue of taking out buildings and making them into Internet installation buildings.
- Discussions need to be started, now, regarding these installations.
- Staff needs to do an analysis on the impact of utility installations for Internet businesses.

Redmond Lyons

Re: Consequences of stopping live/work developments

- How would the situation be if live/work developments did not exist.
- Instead of protesting live/work developments, energy and money should be focused on educating the youth of our City.
- If we read the paper and see that down in Redwood City kids from high school are making 40k a year joining technology companies and then telling the youth of the Mission District that they will only be able to get blue-collar jobs in those same companies.
- As an incentive to developers, if they are given incentives to provide more developments, any developer would not have a problem with contributing to job training programs for the youth in the area.

Thomas Egan

Re: Reason why people are against live/work developments

- When he is involved with developments, he has to deal not only with the architect but also with the people in the surrounding area.
- He spends a lot of money trying to please the neighbors so the development can go forward and there will not be a need for Discretionary Reviews.
- Yet, it is difficult to please everyone and therefore people begin to protest.

John O'Donaghue

Re: Developments in the City

- The testimony of protesters regarding live/work developments sounds as if he had committed a cardinal sin.
- They have sinned because they have provided housing in a City with a housing crisis, because they have provided blue collar jobs to many immigrants with limited English, because they have added to the property tax base so they can increase the social programs; because they have paid to the school fund; because they have turned industrial wasteland and developed housing; and they want to be good providers to they families.

A. Curtis Eisenberger - President of Mariposa Development

Re: Developments in the City

- They are located in the Mission District. They make room for businesses, live/work and non-profits. Their work force has a large number of minorities.
- Dealing with this City is extremely difficult.
- We are facing a housing crisis. San Francisco should be encouraging housing developments of all types.

Sean Keighran

Re: 175 Langton Street

- He has attended many of the Planning Commission's hearings and Board of Appeal hearing to keep himself informed of the most current events.
- At the BOA hearing last Wednesday, the attorney for Coalitions for Arts, Jobs and Housing testified that his building 175 Langton Street had been converted into a dot.com rental building.
- Ms. Hestor perhaps did not investigate the facts before making allegations as she did.
- People who speak at these hearings should adopt the same procedures by the BOA and swear in all the witnesses so they testify under oath.

Robert Haaland - Vice President of the Harvey Milk Democratic Club

Re: Police Brutality

- An apology is required to the person who has brutally thrown to the ground because he went over his allowed 3 minutes to speak.
- Most of the Commissioners should resign because of what has been done to the Latino community and other neighborhoods.

Michael Green - Housing Rights Committee of San Francisco

Re: Displacement of Residents of the Mission District

- He is not a politician, he is just a resident.
- This Commission has been instructed to make decisions for the best interest of the public.
- He is concerned with the families and children of the residents of the Mission because they are being displaced.

Patrick O'Toole

- He is a small developer and constructs one building at a time.
- The homes of live/work developments are good.
- He attends Planning Commission meetings when he can.
- He would like for the Commission to not keep changing their minds.

Jerry Klein

Re: Housing

- He has been involved in the planning process for over 20 years.
- He understands that there are difficult problems the commission needs to face at every meeting.
- The choice has always been anti-housing.
- Many years ago, housing opportunities were lost.
- Every time he comes to commission meetings, housing opportunities are lost.

Joe O'DONAGHUE

Re: Misstatements from speakers

- A statement was made blasting the Commission.
- People are constantly complaining and making allegations that are not true.
- Ms. Hester is always against everything: she doesn't want live/work, and now she is against utility installation buildings.

Valerie Tulier - Latino Steering Committee

Re: People in the Mission are suffering

- She came to the Commission not to speak but was motivated to do so because of something that a previous speaker said.
- It is a sin not to build housing for the poor or working class, not to build affordable housing, not to take into account the community's needs, to have an arrogant attitude and not respect the culture of a neighborhood.

William F. Wilson

Re: He is against treatment people receive at hearings.

- He came last week to a commission meeting on a particular case.
- The item was never heard because after he sat there for 3 hours he had another commitment he had to keep.
- He tried to find out what had happened to the item and found out that it was continued. He was upset by that but he was more upset when people are pouring out their hearts and the Commission didn't want to hear them. Today there are a lot of personal attacks and this is not justified.

Mack Burton

Re: The City needs more jobs.

- He came to the commission a few years ago to request more developments that create more jobs.
- He commends the Commission for their hard work.
- It is very important to create jobs because this is a positive impact on everyone.

- He now owns his own company and can provide jobs for people.

Bernard Thomas

Re: He believes in the system of the Commission

- He brought a few people a while back so they could understand the system of the Planning Commission.
- He realized that in order to understand the system, people need to participate in the system.
- He believes that the Commission is doing a great job and have conducted meetings in an orderly fashion.

Michael Forkin - Manager of First American Title Company

Re: Live/Work Developments

- He has employed about 70 people, many are single mothers. The salary of these employees are generated by the money which is put into funds by live/work developments.
- When decisions are made by the Commission, realize that there are impacts that the Commission may not see whether it be positive or negative.

Eamon Hezlihy

- The only low-cost housing being built is being built by his company.
- He has lived in the Mission District and has had many projects in the neighborhood.
- He has always been sensitive to the neighbors.

C. COMMISSIONERS' QUESTIONS AND MATTERS

10. Consideration of Adoption - draft minutes of August 17, 2000.

SPEAKER(S): **None**

ACTION: **Continued to September 21, 2000**

AYES: **Antenore, Joe, Theoharis, Chinchilla, Salinas**

ABSENT: **Mills**

11. Commission Matters
None

D. DIRECTOR'S REPORT

12. Director's Announcements.

- 1) 192 Majestic - He has done research on that and will meet with the speaker. He will then come to the Commission with the results of his findings.
- 2) Planning Commission meetings will now be televised.

13. Review of Past Week's Events at the Board of Supervisors & Board of Appeals.
None

14. Status Report on Motion No. 14905, Conditional Use for 455-457 Arkansas Street, American College of Traditional Chinese Medicine.

- Project was approved on October 21, 1999 with 17 conditions of approval. Five of these conditions had a six month limit which would be April 29, 2000.
- As of April 29, 2000, three of these items still had not been met.
- The College requested an extension.
- The other items have been met as of August 2000.

- Staff is continually working with the project sponsor to make sure items are met.
- There has not been any opposition from the neighbors.

SPEAKER(S): **None**

ACTIONS: **None Required**

15. Policy discussion on dwelling unit mergers, including 2 unit buildings to 1 unit.

- In 1989 the Commission passed unit merger policies.
- The merger of more than 1 dwelling unit requires Discretionary Review.
- All dwelling units intended to be merged should be for owner occupancy otherwise it still requires Discretionary Review.

SPEAKER(S):

Sue Hestor

- Mergers cause loss of housing. Why not take DR?

- The present policy is not fine.

ACTIONS: **On calendar for discussion only. Non action item.**

Commissioner Theoharis: She agrees that a merger of more than 1 unit should have Discretionary Review.

Commissioner Antenore: He agrees with the comments Commissioner Theoharis made. He would be reluctant to simply stick to the current policy. We should be aware that when a merger is done, that it is only for families. 10% of ownership should be higher.

E. **CONSIDERATION OF FINDINGS AND FINAL ACTION - PUBLIC HEARING CLOSED**

16. 2000.666C (KEYLON: 558-6613)
4515A - 18TH STREET, south side between Clover and Douglass Streets, Lot 44 in Assessor's Block 2691- Request for Conditional Use Authorization under Planning Code Sections 209.2(d) to establish a bed and breakfast inn, with two guestrooms, within the upper unit of an existing three story, two-unit building in an RH-2 (Residential, House, Two-Family) District and 40-X Height and Bulk District.
 Preliminary Recommendation: Approval with conditions
Note: On September 7, 2000, following public testimony, the Commission closed public comment and passed a motion of intent to disapprove by a vote of +5-1 (Commissioner Joe voted No and Commissioner Chinchilla was absent):

SPEAKER(S): **None**

ACTION: **Motion to Disapprove was Adopted**

AYES: **Antenore, Theoharis, Chinchilla, Salinas**

NAYES: **Joe**

ABSENT: **Mills**

MOTION NO. **15976**

17. 2000.099CD (KIM: 558-6290)
1306- 10TH AVENUE, east side between Irving and Judah Streets; Lot 041 in Assessor's Block 1764 - Request for Conditional Use Authorization pursuant to Section 711.39 of the

Planning Code to demolish an existing single-family dwelling and construct a new three-story-over-garage, three-unit building in a NC-2 (Small-Scale Neighborhood Commercial) District, and pending Inner Sunset Neighborhood Commercial District and a 40-X Height and Bulk District.

Preliminary Recommendation: Approval with conditions

Note: On September 7, 2000, following public testimony, the Commission closed public comment and passed a motion of intent to disapprove by a vote of +5-1 (Commissioner Mills voted No and Commissioner Chinchilla was absent):

SPEAKER(S): None

ACTION: Motion to Disapprove was Adopted

AYES: Antenore, Joe, Theoharis, Chinchilla, Salinas

ABSENT: Mills

MOTION NO. 15977

F. REGULAR CALENDAR

18. (RICH: 558-6345)

General Plan Referral for urban design aspects of the Third Street Light Rail Project, including, station platforms, street lighting, trackway paving, and other urban design elements.

Preliminary Recommendation: Finding of conformance with the General Plan.

(Continued from Regular Meeting of September 7, 2000)

SPEAKER(S): None

ACTION: Without hearing, continued to October 5, 2000

AYES: Antenore, Joe, Theoharis, Chinchilla, Salinas

ABSENT: Mills

19. 2000.745C (NIKITAS: 558-6306)

801 38TH AVENUE, south west corner at Cabrillo Street, Lot 001 in Assessor's Block 1681 Request for Conditional Use Authorization under Planning Code Sections 209.3© to provide a Residential Care Facility for seven or more persons. The proposal is to expand an existing Residential Care Facility currently authorized for up to six elderly patients, "Farol's Residential Care Home," increasing the number of patients to twelve or fewer.

Preliminary Recommendation: Approval with conditions.

SPEAKER(S): None

ACTION: Approved with conditions

AYES: Antenore, Joe, Theoharis, Chinchilla, Salinas

ABSENT: Mills

MOTION NO. 15978

20. 2000.824C (YOUNG: 558-6346)

1351 GRANT AVENUE, west side between Vallejo and Green Streets; Lot 002 in Assessor's Block 0131: -- Consideration of the possible revocation of conditional use or the possible modification of or placement of additional conditions per Planning Code Section 303(f) of a prior authorization to allow the establishment of a full-service restaurant and bar, approximately 3,400 square feet in floor area, within the North Beach Neighborhood Commercial District and 40-X Height and Bulk District. The proposal is to consider revocation, modification, or placement of additional conditions on a conditional use

authorization approved on December 17, 1998, for the conversion of a vacant commercial space, the former Ficoni Hardware Store, into a full-service restaurant and bar, per Planning Code Sections 722.41 and 722.42. The proposed full-service restaurant and bar is located on the ground floor level of an existing three-story residential over commercial building. The proposal was approved under Building Permit Application No. 9912999. There have been unresolved complaints from the community in relation to the construction and operation of the facilities and the eviction of residential tenants within the building.

Planning Commission to schedule a subsequent hearing to consider the revocation, modification, or placement of additional conditions on the conditional use authorized in Motion No. 14785 under Case No. 1998.243C.

SPEAKER(S): None

ACTION: Without hearing, continued to September 21, 2000

AYES: Antenore, Joe, Theoharis, Chinchilla, Salinas

ABSENT: Mills

21. 2000.292C (MARTIN: 558-6616)
 772 SOUTH VAN NESS AVENUE, west side between 18th and 19th Streets, Lot 008 in Assessor's Block 3590 - Request for a Conditional Use Authorization to allow the construction of dwellings at a density ratio up to one dwelling unit for each 1,000 square feet of lot area (Section 209.1(h) of the Planning Code) in an RH-3 (Residential, House Districts, Three-Family) District and a 50-X Height and Bulk District.
 Preliminary Recommendation: Approve with conditions.
 (Continued from Regular Meeting of July 27, 2000)

SPEAKER(S):

(+) Toby Levy - Architect for Project

- The project is for a 4 unit building.
- This project would demolish a smaller building.
- These units will be townhouse units.
- They met with the neighbors and there was no opposition.

(+) Andy Forest

- He inspected the building and concluded that the building was in bad shape.
- Everything about the building is unserviceable.

(-) Sue Hestor

- When was the CU notice taken down? She referred several people in the Mission District and they couldn't figure out where the site was.
- CU signs are supposed to stay up until the hearing.

(-) Jerry Amansa

- She walked by the site and didn't see the notice either.
- The design of the house will be a townhouse style which makes it non-affordable.
- Affordable housing is so important in the Mission District as well as throughout the City.

(+) Joe O'DONAGHUE

- People knew of the site of this construction.
- Who took the notice down? That is the question.
- A homeowner owned the current building. The new construction will make the site into 4 units.

ACTION: Approved with conditions

AYES: Antenore, Joe, Theoharis, Chinchilla, Salinas

ABSENT: **Mills**
MOTION: **15979**

22. 2000.209C (MILLER: 558-6344)
1470 PINE STREET, north side between Polk and Larkin Streets, Lot 7A in Assessor's Block 645 --Request for authorization of a **CONDITIONAL USE** for a **FIBER-OPTIC TELEVISION** and **TELECOMMUNICATIONS CABLE EQUIPMENT INSTALLATION** in an existing one-story building, in the Polk Street Neighborhood Commercial District and an 80-A Height and Bulk District.

Preliminary Recommendation: Approval with conditions
(Continued from Regular Meeting of August 10, 2000)

SPEAKER(S):

(+) Bob Meyers - City Planning Consultant for ATT

- This project is important to ATT and the neighbors of Chinatown, Russian Hill and North Beach since it will provide state-of-the-art, fiber optic broadband.
- This central location or "hub" will house the equipment close to these neighborhoods.
- This is part of a citywide build out agreed to by an ordinance.
- The architect designed the project to blend with the neighborhood. All changes will occur on the inside. No changes will be made to the outside of the building.
- There will be landscaping in the front of the building.
- There will be no unattractive aerals because fiber optic technology requires cabling go underground.
- There were no other affordable sites.
- Letters and drawings were sent to tenants and everyone was in agreement.

ACTION: Approved with conditions
AYES: Antenore, Joe, Theoharis, Chinchilla, Salinas
ABSENT: Mills
MOTION No. 15980

23. 2000.191X (LeBLANC: 558-6351)
61-69 CLEMENTINA STREET, south side of Clementina Street between First and Second Streets, Lots 36 and 37 in Assessor's Block 3736 -- Request under Planning Code Section 309 (Downtown Code) for Determinations of Compliance for Building Permit Application No. 200008299159, for the construction of a 95-foot tall, 7-story building with approximately 24,500 gross square feet of office space. The new structure would entirely cover the Project site, which consists of two lots with 50 feet of frontage on Clementina Street and a total area of approximately 3,750 square feet. The Project includes the demolition of a one-story building (Lot 37) and a three-story building (Lot 36) containing approximately 7,000 square feet of light industrial space. The existing buildings are currently vacant, and were most recently used as a woodworking shop. The site does not currently contain on-site parking or loading and no on-site parking or loading is required or proposed for the Project. Publicly-accessible open space in the form of an approximately 600-square foot terrace on the front of the building at the top (7th) floor will be provided pursuant to Planning Code Section 138. The Project does not seek any exceptions under Section 309 of the Code. The Project site lies within a C-3-O(SD) District (Downtown Office, Special Development), and a 200-S Height and Bulk District.

Preliminary Recommendation: Approval with conditions.

SPEAKER(S):

(+) **David Cincotta:**

- The project meets the requirements for Section 309.
- Staff has done an excellent job in presenting the report and working them throughout the project.

(+) **Christiane Marsh - Project Architect**

- The current building at the proposed site is uninhabitable with graffiti on the exterior.
- The design will make the exterior vents seem un-intrusive.

ACTION: **Approved with an additional condition: General advertising be prohibited at this site.**

AYES: **Antenore, Joe, Theoharis, Chinchilla, Salinas**

ABSENT: **Mills**

MOTION No. **15998**

G. SPECIAL DISCRETIONARY REVIEW HEARING

At Approximately **3:45 P.M.** the Planning Commission convened into a Special Discretionary Review (DR) Hearing.

24. 2000.343DDD (LIGHT: 558-6254)
22 LAUREL STREET, northeast side between Pacific and Jackson Streets, Lot 011A in Assessor's Block 0972 -- Request for Discretionary Review of BPA No. 9927215, proposing to construct a three-story horizontal addition to the front of the existing two-story dwelling and the addition of a second story deck at the rear in a RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take discretionary review and approve application as submitted.

SPEAKER(S): **None**

ACTION: **All Drs have been withdrawn**

25. 2000.637D (FALLAY: 558-6367)
350 COLLINGWOOD STREET, Lot No. 006B in Assessor's Block No. 2751 -- Request for Discretionary Review of BPA No. 2000/02/10/1497, to construct a three-story rear addition and to convert a two-unit building to a single-family dwelling in an RH-2 (House, Two-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Take Discretionary Review and approve the project with the condition that the third floor be eliminated and the side building wall of the proposed second floor be pulled back by five feet from the south side property line.

SPEAKER(S): **None**

ACTION: **DR Withdrawn**

26. 2000.232D (MARTIN: 558-6616)
200 PAUL AVENUE, north side between Third Street and Bayshore Boulevard, Lots 001F and 001G in Assessor's Block 5431A - Staff Initiated Discretionary Review per Resolution No. 14861 for demolition of an industrial building in the Industrial Protection Zone (IPZ) and

the Industrial Protection Zone Buffer which does not result in displacement and construction of a new approximately 87,000 square foot industrial building. The property is in an M-1 (Light Industrial) District and a 65-J Height and Bulk District.

Preliminary Recommendation: Do not take discretionary review.

SPEAKER(S):

(+) **David Prowler**

- Staff did a great job with this project.

ACTION: **Do not take DR and Approve Project as Proposed**

AYES: **Antenore, Joe, Theoharis, Chinchilla, Salinas**

ABSENT: **Mills**

Note: The following item will not be heard before 5:30 p.m.

27. 2000.009E (JAROSLAWSKY: 558-5970)

1800 MISSION STREET - THE ARMORY -Appeal of a Preliminary Negative Declaration.

Assessors block 3547, lot 001. The project site contains the State Armory building, a city landmark containing approximately 200,000 square feet. The proposed project includes rehabilitation of the building, addition and conversion of use from vacant to office use. The total new square footage of the structure would be approximately 300,000 and would include 32 below-ground, off-street parking spaces and a loading area. There would be no substantial expansion of the building envelope. The 68,722 square foot project site is composed of one lot containing frontages on Mission, Fourteenth and Julian Streets. The site is within a C-M (Heavy Commercial) District and 65-B Height and Bulk District within the Mission District neighborhood. A variance would be required to provide fewer than the Planning Code required amount of parking and loading spaces.

Preliminary Recommendation: Uphold Preliminary Negative Declaration

(Continued from Regular Meeting of September 7, 2000)

SPEAKER(S): **None**

ACTION: **Project Withdrawn**

AYES: **Antenore, Joe, Theoharis, Chinchilla, Salinas**

ABSENT: **Mills**

Adjournment: 3:53 p.m.

THE DRAFT MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, OCTOBER 12, 2000.

SF
C55
w/10
9/21/00

SAN FRANCISCO PLANNING COMMISSION

Meeting Minutes

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, September 21, 2000

1:30 PM

Regular Meeting

DOCUMENTS DEPT.

FEB 15 2001

SAN FRANCISCO
PUBLIC LIBRARY

PRESENT: Baltimore, Chinchilla, Fay, Joe, Mills, Salinas
ABSENT: Theoharis

THE MEETING WAS CALLED TO ORDER BY VICE PRESIDENT MILLS AT 1:37 P.M.

STAFF IN ATTENDANCE: Gerald G. Green - Director of Planning; Larry Badiner - Zoning Administrator; Scott Sanchez; Julian Banales; Allison Borden; Dan Dibartolo; Dario Jones; Kelley LeBlanc; Jonathan Purvis; Ann Marie Rodgers; Scott Edmondson; Andrea Wong; Sailesh Mehra; Nora Priego - Transcription Secretary; Linda D. Avery - Commission Secretary

A. ITEMS PROPOSED FOR CONTINUANCE

- 2000.397C (KIM: 558-6290)
1850 IRVING STREET, northeast corner at Irving Street and 20th Avenue; Lot 025 in Assessor's Block 1731- Request for Conditional Use Authorization to allow the installation of 16 panel antennas and an interior equipment shelter on the ground floor of an existing mixed-use building as part of a wireless telecommunication network, pursuant to Planning Code Section 711.83, in an NC-2 (Small-Scale Neighborhood Commercial) District and a 105-A Height and Bulk District. The proposal is to construct a fiberglass extension to an existing rooftop penthouse and flush mount a total of 16 panel antennas on all four sides. Each antenna measures approximately 36" tall by 10.25" wide and 3" deep. The top of the antennas would be approximately 115'-6" above sidewalk grade. All antennas would be painted to match the fiberglass penthouse. The equipment cabinet would be located on the ground floor and would not be visible from the street.
Preliminary Recommendation: Pending
(Proposed for Continuance to September 28, 2000)

SPEAKER(S): **None**
ACTION: **Continued to September 28, 2000**
AYES: **Joe, Baltimore, Mills, Fay, Salinas**
ABSENT: **Theoharis, Chinchilla**

2. 2000.884D (PURVIS: 558-6354)
688 POWHATTAN AVENUE
Appeal of a determination of compatibility, pursuant to Planning Code Section 242(e)(6)(B), of Building Permit Application No. 2000/04/04/6293, to construct a 3-story, single-family dwelling at a height of 30 feet and with two off-street parking spaces. The project site is within an RH-1 (Residential, House, One-Family) District, with a 40-X Height and Bulk designation and is within the Bernal Heights Special Use District.
Preliminary Recommendation: Take Discretionary Review
(Proposed for Continuance to October 5, 2000)

SPEAKER(S): **None**
ACTION: **Continued to October 5, 2000**
AYES: **Joe, Baltimore, Mills, Fay, Salinas**
ABSENT: **Theoharis, Chinchilla**

3. 2000.052E (JAROSLAWSKY: 558-5970)
14, 20, 26, 32, 38, 50 and 56 ARCO WAY - Appeal of a Preliminary Negative Declaration.
The vacant project site is located on lots 024 through 028, lot 032, lots 037 through 039 and lot 051 located on block 3154 within the Outer Mission District of the City of San Francisco. The proposed project includes the rezoning of the ten legal lots from Public (P) to Residential House-One Family (RH-1) with a 40-X Height and Bulk Designation and the construction of one, single-family structure on each legal lot. Each structure would be approximately 2,000 square feet, contain a two-car garage and be a maximum of 30 feet in height. Nine lots would contain 25 feet of frontage along Arco Way and one lot would be a flag lot. The lots are along the northern side of Arco Way and range from 1,973 square feet to 9,900 square feet and abut the Bay Area Rapid Transit tracks to the north.
Preliminary Recommendation: Uphold Preliminary Negative Declaration
(Proposed for Continuance to October 26, 2000)

SPEAKER(S): **None**
ACTION: **Continued to October 26, 2000**
AYES: **Joe, Baltimore, Mills, Fay, Salinas**
ABSENT: **Theoharis, Chinchilla**

4. 2000.415C (M. SNYDER: 575-6891)
510 - 3RD STREET, southwest corner of 3rd Street and Bryant Street, Lot 115 in Assessor's Block 3776 -- Request for Conditional Use authorization under Planning Code Section 817.73 to install three sectors of antennas (four antennas in each sector) on the building's rooftop penthouse, in an SLI (Service/Light Industrial) District and a 50-X Height and Bulk District. The antennas would be flush mounted to the penthouse approximately 85-feet above grade or 6.5-feet above the height of the building's parapet. As part of the proposal, a base transceiver station would be installed within the building. The installation of the antennas and related equipment would be part of a wireless telecommunications network operated by Nextel Communications.
Preliminary Recommendation: Approval

(Continued from Regular Meeting of August 10, 2000)
(Proposed for Indefinite Continuance)

SPEAKER(S): None
ACTION: Approved for Indefinite Continuance
AYES: Joe, Baltimore, Mills, Fay, Salinas
ABSENT: Theoharis, Chinchilla

B. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes. If it is demonstrated that comments by the public will exceed 15 minutes, the President or chairperson may continue Public Comment to another time during the meeting.

"The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

Kevin Dill - Architect and Small Residential Developer

Re: 2135 and 2844 Greenwich

- He was here last week at the Planning Commission hearing.
- He is here because he would like the Commission to enforce the laws.
- There is a person who has been constructing additions to his home which are illegal and something needs to be done about it.

Patricia Vaughey

Re: Illegal Constructions/Not Following Commission's Decisions

- She was the speaker who had spoken about the person who is construction illegal additions to his home.
- This person who is illegally constructing, should be held responsible for this.
- A DR is coming up at this property and she believes that the DR should be put on hold until this is cleared up.

Chris Daly - Mission Anti-Displacement Coalition

Re: Displacement of Mission District Residents

- There are about a hundred people who are occupying at the Bay View Bank Building.
- There are many groups of people who have come together to unite to try to get the Commission to do something yet it has come to a point where it is useless to speak to them.

Ron Groshardt

Re: Displacement of Mission District Residents

- He lives in the Mission
- He would like to thank the Commission for listening to public comment.

Bill Barns

Re: Displacement of Mission District Residents/African American Residents

- He was here a few weeks ago regarding the census data and African Americans.
- The planning that the Planning Department is doing is starting to hold a lot of promise.
- The number of black people in civic life is troubling him.
- Hardly no one speaks of displacement of black people.
- He is troubled by the decisions the Commission is making yet he does believe in Civic life.

Jim Reid

- He is a building contractor
- He was disappointed to hear that the one voice of dissent of the Commission was fired.
- He immediately went to Voter Registration to apply for a petition to establish a recall.
- (He read a letter address to the Major requesting a recall.)

Sue Hestor

- She is having trouble with the mailing lists that the Department is using.
- She contacted staff at the Planning Department and requested a copy of the Mission District list.
- She was surprised to find out that many people should have been on that list.
- There is no adequate relief procedurally right now.

Joe O'Donaghue

- One cannot change a problem which has been around since 1978.
- One cannot build market rate housing in the South of Market.
- This Commission's hands have been tied regarding market-rate housing.

Alice Barkley

- The issue of Best Foods case, Ms. Hestor knew about the case.
- Comments should be made when the item is called.

C. COMMISSIONERS' QUESTIONS AND MATTERS

5. Consideration of Adoption - draft minutes of August 17, 2000.

ACTION: **Approved**
 AYES: **Joe, Baltimore, Mills, Chinchilla, Fay, Salinas**
 ABSENT: **Theoharis**

6. Commission Matters

Commissioner Mills: She would like a status report 2135 and 2488 Greenwich and a status report on the Fillmore District.

7. Status Report of the Smith-Kettlewell Institute.

There has been an ongoing concern with the Smith-Kettlewell Institute properties (2209, 2238, 2244 and 2250-2252 Webster, 2389 Washington, 2470 Clay Street). In January of 2000, the members of the Webster Street Historic District came to the Landmark's Advisory Board and informed them of the deteriorating condition of the houses. In March of 2000, Landmark's Board requested the Commission to initiate enforcement procedures. In May of 2000, Staff was contacted that the houses were deteriorating and that there was misuse by the institution. In June of 2000, staff initiated a letter of violation. In July of 2000, it was confirmed that there was unauthorized uses by the institution. In August of 2000, the BOS initiated a resolution for Smith-Kettlewell to comply with the Planning Department.

John Sanger - Sanger and Olson - Representing Smith-Kettlewell Eye Institute.

- They are indeed anxious to cooperate with the City.

- He will be meeting with the Zoning Administrator next week.
- The Institute is looking very closely at returning 3 of the houses to residential or create an institutional master plan.
- The buildings will begin restoration and repairs.

Donald Langley - Friends of the Webster Street Historic District

- He would have liked to have more people from this district but just yesterday they found out that it was going to be on the calendar.
- 2389 Washington Street - Smith-Kettlewell said that they have been using this as a guest house. This would still require permits.

Mark Zier - Friends of the Webster Street Historic District

- He agrees with what Mr. Langley said.
- He is thankful to the Commission for having initiated this on the agenda.

Patricia Vaughey

- She was at the Board of Permit Appeals hearing. There were two cases which were not mentioned by Mr. Badiner: 20 6th Street
- People come with plans and application forms. The Department sends out a 311 notice. Then there is a change in plans. So what was sent out first no longer reflects what changes have been made. Should revisions be accepted after the 311 has gone out?
- There was another case: 537 Divisadero. Staff rejected this as outside their jurisdiction.

Joe O'Donaghue

- He lives in the area. He has no problem with the check cashing facility.
- Many people like check casing facilities.

D. DIRECTOR'S REPORT

8. Director's Announcements.
Welcome New Commissioners
9. Review of Past Week's Events at the Board of Supervisors & Board of Appeals.

BOS

1. New live work legislation was introduced by Supervisor Katz. A status report will be presented in mid-October.
2. 2412 Greenwich - The Commission requested that a penthouse be removed. This was done by the owner. A roofing project was to go forward and the material for the roof is being covered by a blue tarp. What the neighbors considered the remainder of the penthouse is actually this construction material being covered up.

BOA

- 1) 310 Green Street - a DR, the Commission declined to take DR by a vote of +4-3. The board declined to disapprove the permit. The Commission was upheld on a vote of +5-0

Robin Jones - A long time Planning Department member, passed a way.

10. (ALUMBAUGH: 558-6601)

BETTER NEIGHBORHOODS 2002 CONSULTANT CONTRACTS

Consideration of a proposal to approve resolutions authorizing the Director of Planning to enter into contract with urban design, transportation planning, and economic and real estate consultants for funded work associated with the Better Neighborhoods 2002 program.

Preliminary Recommendation: Approval

SPEAKER(S): **None**
ACTION: **Without hearing, continued to September 28, 2000**
AYES: **Joe, Baltimore, Mills, Fay, Salinas**
ABSENT: **Theoharis, Chinchilla**

E. REGULAR CALENDAR

11. 2000.821Q (SANCHEZ: 558-6679)
1649-57 GREENWICH STREET, south side between Gough and Franklin Streets, Lot 33 in Assessor's Block 521, five-unit residential condominium conversion subdivision in an RH-3 (Residential, House, Three Family) District. The proposal is to change the existing building to a condominium form of ownership and does not involve expansion, alteration, or demolition of the existing building.
Preliminary Recommendation: Approval with Conditions

SPEAKER(S): **None**
ACTION: **Approved**
AYES: **Joe, Baltimore, Mills, Chinchilla, Fay, Salinas**
ABSENT: **Theoharis**
MOTION NO. **15981**

12. 2000.538C (MARTIN: 558-6616)
3333 - 25TH STREET, also known as 1045 Capp Street, at the southeast corner of 25th Street and Capp Street, Lot 045, Assessor's Block 6527 -- Request for Conditional Use Authorization under Section 209.6(b) of the Planning Code to install a total of sixteen (16) antennae on the roof of the existing building, comprised of four (4) sectors with four (4) antennae per sector, with the base transceiver station to be located on the roof, as part of a wireless communication network in an RM-2 (Residential, Mixed) Moderate Density Zoning District and 50-X Height and Bulk Districts.
Preliminary Recommendation: Approve with conditions
(Continued from Regular Meeting of September 7, 2000)
Note: On September 7, 2000, following public comment, the Commission voted to continue the matter instructing project sponsor to provide bilingual notification and follow up meetings with the neighbors. Public Comment remains open.

Robert McCarthy - McCarthy and Schwartz - representing Metricom

- This site is a Preference 1 site.
- In response to Commissioner Salinas' request, 2 bilingual meetings were held regarding this item.
- Between 6 and 8 people attended meetings.
- There were 4 addresses which were given to them.

(-) Elizabeth Bell

- The site is a preference 1 only because it's a Pacific Bell switching building.
- Metricom should be able to find another location for their antennas.
- She is not in agreement with the standards.
- The area is filled with children, it is an extremely dense community and there is a senior center near by.
- The address (3333 25th Street) is not present in the Planning, Building and Assessor's Departments.

(-) Tina Gordon

- She is a native San Franciscan.
- She would like to remind the Commission that the reason this site is preferred is because it's a utility building yet it is in a neighborhood.
- 25th and Capp is located in an area which is becoming very cluttered.
- Fiber optic cables are being hung in all the intersections. These cables are thick and big and are visually distasteful.
- One of her concerns is health.
- If this proposal passes, they will appeal it at the BOA.

(-) Pat Gerber

- There are 3 items she would like to address: 1) antenna farms 2) necessity of these antennas 3) discrepancy in the draft motion.
- She would like the Commission to deny this proposal.
- She would like the Commission to examine these maps.

(-) Darryl Fell

- He lives very close to the building where the antenna is proposed.
- He read a letter from tenants who live close also but could not come to the hearing. All opposed.

ACTION: Approved with the following conditions: Installation of 16 antennas only (four sets of four antennas).

AYES: Joe, Baltimore, Mills, Chinchilla, Fay, Salinas

ABSENT: Theoharis

MOTION NO. 15982

13. 2000.824C (YOUNG: 558-6346)
1351 GRANT AVENUE, west side between Vallejo and Green Streets; Lot 002 in Assessor's Block 0131: -- Consideration of the possible revocation of conditional use or the possible modification of or placement of additional conditions per Planning Code Section 303(f) of a prior authorization to allow the establishment of a full-service restaurant and bar, approximately 3,400 square feet in floor area, within the North Beach Neighborhood Commercial District and 40-X Height and Bulk District. The proposal is to consider revocation, modification, or placement of additional conditions on a conditional use authorization approved on December 17, 1998, for the conversion of a vacant commercial space, the former Figoni Hardware Store, into a full-service restaurant and bar, per Planning Code Sections 722.41 and 722.42. The proposed full-service restaurant and bar is located on the ground floor level of an existing three-story residential over commercial building. The proposal was approved under Building Permit Application No. 9912999. There have been unresolved complaints from the community in relation to the construction and operation of the facilities and the eviction of residential tenants within the building. Planning Commission to schedule a subsequent hearing to consider the revocation, modification, or placement of additional conditions on the conditional use authorized in Motion No. 14785 under Case No. 1998.243C.
 (Continued from Regular Meeting of September 7, 2000)

SPEAKER(S): None

ACTION: Without hearing, continued to September 28, 2000

AYES: Joe, Baltimore, Mills, Chinchilla, Fay, Salinas

ABSENT: Theoharis

14. 2000.136C (MARTIN: 558-6616)
1026 FOLSOM STREET, northwest corner of Folsom and Harriet Streets (between 6th and

7th Streets), Lot 015 in Assessor's Block 3731 -- Request for a Conditional Use authorization to allow the construction of twelve live/work units in the Mixed Use Housing Buffer Zone, per Planning Commission Resolution No. 14861, and in the South of Market Service/Light Industrial/Residential (SLR) Mixed Use District and a 40-X Height and Bulk District. Preliminary Recommendation: Approval with Conditions

SPEAKER(S):

(+) Alice Barkley - Representing Project Sponsor

- Based on suggestions from staff, the project has been redesigned in regards to the exterior.
- She had some letters of support (which she submitted to the Commission).
- The current tenants, Real Estate Times, knew that they would like to be relocated. The other tenants of the building approve of the project.

(+/-) Scott Yaffe

- He is here to support this project. The problem he is having is the way they were asked to leave where he conducts business.
- The property was purchased at the beginning of this year.
- He assumed that the building would be demolished or renovated, but he didn't know when.
- All he wanted was time enough to relocate his magazine/Internet business.
- All he is asking is the same courtesy which the developer is asking from them.

(-) Ali Goss

- He is one of the tenants of the building. He was overlooked since his name is not on any of the reports.
- He has never received anything in the mail.
- The letter which was sent to the tenants, said that there were 5 spaces and 4 were vacant. That fact is inaccurate. The Planning Department was unaware that there were people being employed. There are 5 tenants which occupy this building.
- His received a letter from somebody stating that his rent was being increased 5 times: from \$1,800 to \$5,000. The letter didn't say who it was from.
- The developer promised to help and didn't. Then he gave them time to leave until the end of the year, and now the developer states that he has to leave by the end of November.

(+) Joe O'Donaghue

- There was a letter which was sent to Ali Goss.
- He has taken a stand on exactions.
- He has never agreed with evictions, he didn't know that one of the members of his organization had purchased the building. He finds it disturbing that the rent of the tenants had been increased.

ACTION: Approved with the added condition that the parties work to resolve their differences.

AYES: Joe, Baltimore, Mills, Chinchilla, Fay, Salinas

ABSENT: Theoharis

MOTION NO. 15983

15. 2000.602C (BORDEN: 558-6321)
4260 MISSION STREET, the southwest corner of Castle Manor Avenue and Mission Street; Lot 1 in Assessor's Block 6802 -- Request for Conditional Use authorization to allow the installation of eleven panel antennas at the roof, and the associated equipment cabinet at the ground floor of an existing mixed-use building, as part of a wireless telecommunications network operated by Nextel Communications, pursuant to Planning Code Section 711.83, in the NC-2 (Small-Scale Neighborhood Commercial) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Approval with conditions.

SPEAKER(S):

(+) Molly Keils

- This site was requested because of poor customer service and dropped calls and inability to make and receive calls.

- This site is a preference 5 site.

- They looked at other sites but none were appropriate enough.

ACTION: **Approved with conditions as drafted**

AYES: **Joe, Baltimore, Mills, Chinchilla, Fay, Salinas**

ABSENT: **Theoharis**

MOTION NO. **15984**

16. 2000.747C (DIBARTOLO: 558-6291)
2302 POLK STREET, east side between Green and Union Streets; Lot 15 in Assessor's Block 548: -- Request for Conditional Use authorization under Section 723.42 of the Planning Code to allow a Full-Service Restaurant in the Polk Street Neighborhood Commercial District (NCD) and a 65-A Height and Bulk District. The proposal is to allow a Full-Service Restaurant to operate within the Polk Street Neighborhood Commercial District. This proposal involves changing the use from a Bank to a Full-Service Restaurant. The bank at the above referenced address is currently vacant.
Preliminary Recommendation: Approval with Conditions

SPEAKER(S):

(+) Robert Cubberly - Le Petit Robert Restaurant

- He is a partner on the proposed project.

- Thanks staff for helping him through this process.

- He has worked in San Francisco for 16 years in the restaurant industry.

- He found the location on Polk Street, the site has been vacant for many years. The neighborhood seems to be supporting the space for retail and/or commercial. He and his partner have gone into other restaurant businesses.

- Three months ago they opened a restaurant. The neighborhood has been very supportive of this project.

- He believes that this proposal will be good for the neighborhood and is confident that the neighborhood will embrace it.

(-) Tom Holton

- He lives in the neighborhood. He is here to oppose this project. There are 26 bars, coffee houses and restaurants as well as many retail establishments. This area is completely overwhelmed with people and traffic. There is no parking space at all. There are only 8 parking control officers on duty at night in the area.

- He would like the Commission to try to keep the area in it's current conformance.

(+) Claire McGhee - Past President of Russian Hill Neighbors

- Her organization supports this proposal.

- It would be a good addition to the neighborhood.

(-) Betty (Last name unclear)

- She cannot support this proposal because there are too many restaurants already in the neighborhood.

- Parking is of great concern as well.

(+/-) Patricia Vaughney

- She would love to have the restaurant come to Divisadero Street.

ACTION: **Approved with conditions as drafted**
AYES: **Joe, Baltimore, Mills, Chinchilla, Fay, Salinas**
ABSENT: **Theoharis**
MOTION NO. **15985**

17. 2000.710C (JONES: 558-6477)
470 WEST PORTAL AVENUE, west side of West Portal Avenue between 15th Street and Saint Francis Blvd; Lot 008 in Assessors Block 2484 -- Request for a Conditional Use authorization to install a wireless telecommunication facility consisting of three (3) panel antennas and four (4) equipment cabinets on the rooftop of the existing unoccupied telecommunications facility building (Pacific Bell telephone switching facility) in the RH-1(D) (Residential, Detached, Single Family) District and a 40 - X Height and Bulk District.
Preliminary Recommendation: Approval

SPEAKER(S):

(+) Robert Crebs - Representing Project Sponsor: Sprint PCS Wireless Service

- The conditional use petition complies with both the WTS guidelines and the San Francisco Municipal Code.
- The equipment will be installed behind a screened wall.
- This site is necessary to provide service to the residents of the West Portal area.

ACTION: **Approved with conditions as drafted**
AYES: **Joe, Baltimore, Mills, Chinchilla, Fay, Salinas**
ABSENT: **Theoharis**
MOTION NO. **15986**

- 18a. 1999.216C (LeBLANC: 558-6351)
741 ELLIS STREET, south side between Polk and Larkin Streets, a thru lot from Ellis to Willow Street; Lot 023 in Assessor's Block 0740 -- Request for Conditional Use authorization to (a) construct a building exceeding 40 feet in height and (b) provide off-street parking in excess of that allowed as accessory in an RC-4 (Residential-Commercial Combined, High Density) District, the North of Market Residential Special Use District (#1) and an 80-T Height and Bulk District. The proposal is to construct a 4-story, approximately 50-foot high building with 9 dwelling units and 8 off-street parking spaces. The Zoning Administrator will conduct a joint hearing on a request for a Variance for (a) rear yard, (b) open space, and © permitted obstructions.
Preliminary Recommendation: Approval with Conditions

SPEAKER(S):

(+) Van Li - Project Architect

- The project owner is here as well, in case there are any questions.
- The project meets all the requirements.

ACTION: **Approved with conditions as drafted**
AYES: **Joe, Baltimore, Mills, Chinchilla, Fay, Salinas**
ABSENT: **Theoharis**
MOTION No. **15987**

- 18b. 1999.216V (LeBLANC: 558-6351)
741 ELLIS STREET, south side between Polk and Larkin Streets, a thru lot from Ellis to Willow Street; Lot 023 in Assessor's Block 0740 in an RC-4 (Residential-Commercial Combined, High Density) District, the North of Market Residential Special Use District (#1)

and an 80-T Height and Bulk District. -- REAR YARD, OPEN SPACE AND PERMITTED OBSTRUCTIONS VARIANCES SOUGHT: The proposal is to construct a 4-story, approximately 50-foot high building with 9 dwelling units and 8 off-street parking spaces without providing the required rear yard or open space, and including permitted obstructions that exceed the allowable dimensions.

SPEAKER(S): **Same as item 18a**

ACTION: **Zoning Administrator has closed the public hearing and has taken the matter under advisement.**

19. 2000.553C (PURVIS: 558-6354)
1129 FOLSOM STREET, south side between 7th and 8th Streets, through lot from Folsom Street to Decker Alley; Lot 99 in Assessor's Block 3755 -- Request for Conditional Use Authorization under Planning Commission Resolution No. 14861 to permit the conversion of a two-story commercial building into a mixed-use, commercial and live/work building containing one live/work unit. The site is within an SLR (Service/Light Industrial/Residential) District with a 50-X Height and Bulk Designation and is within the IPZ (Industrial Protection Zone) Buffer.
 Preliminary Recommendation: Approval with Conditions

SPEAKER(S):

(+) Josh Prior

- He is the owner of 1129 Folsom.

- This is a property which he purchased in 1970. He has been working there for the last 30 years.

- He would like to make an apartment so he can live in the back of the building.

ACTION: **Approved with conditions as drafted**

AYES: **Joe, Baltimore, Mills, Chinchilla, Fay, Salinas**

ABSENT: **Theoharis**

MOTION No. **15988**

20. 1999.296M (RODGERS: 558-6395)
TELECOMMUNICATIONS FACILITIES SECTION OF THE COMMUNITY FACILITIES ELEMENT--CONSIDERATION OF ADOPTION--Public hearing and consideration of adoption of the Telecommunications Facilities Section, an amendment to the Community Facilities Element of the General Plan of the City and County of San Francisco. The Telecommunications Facilities Section contains objectives and policies for the siting, visual appearance, and distribution of wireless telecommunications services facilities in San Francisco. The Section is based upon the San Francisco Planning Department's August 15, 1996 *Wireless Telecommunications Services (WTS) Facilities Siting Guidelines*.
 Preliminary Recommendation: Adopt Telecommunications Facilities Section.

SPEAKER(S):

(-) Douglas Loranger - San Francisco Antenna-Free Union

- He is here to comment regarding trying to keep San Francisco antenna installations limited only to preference 1 locations.

- This is a partial revision to the 1996 guidelines which should have been included in the case report to the Commissioners.

- This document states a lot of information not given to the Commissioners.

(-) Christopher Beaver - Noe Valley Families and San Francisco Antenna-Free Union

- He is familiar with the Telecommunications Department and Telecommunications Commission.
- There is considerable scientific evidence that the transmissions from the antennas are harmful to people.
- This information should have been seriously considered and the wishes of the neighborhood should be considered.
- This telecommunications plan should be rejected. The people who came up with this plan should go back and redo it.

- There should be a moratorium on developments with telecommunications

(-) Steven Gamboa Eastman - San Francisco Antenna-Free Union

- He has lived in San Francisco for 25 years.
- He is a mathematician.
- He has looked at some of the scientific evidence on the health effects on microwave transmissions on humans.
- In an area where there is controversy on science, minimizing the number of sites would be appropriate. Sites should be chosen where there is minimum impact on people.

(-) Tracy Hughes - San Francisco Antenna-Free Union

- She dittoes everything the previous speakers have said.
- People don't know about these health studies.
- People who live in the neighborhoods speak limited English.

(-) Gordon (Last name unclear) - San Francisco Antenna-Free Union

- He would like to have this Telecommunications guidelines revised to say that there should be a moratorium on antenna installations.
- The city of Sausalito has placed a moratorium on antenna installations.
- A city in Pennsylvania has also placed a moratorium on antenna installations.
- If you're not going to have a moratorium, the language should be taken out regarding playgrounds, etc.

(-) Patricia Vaughey

- She was in one of the groups which helped to write the guidelines.
- The department has to double check the mailing list they have.
- The Commission should look into the health aspects of these antennas.
- Certain sections of the city have a high concentration of microwave transmission.
- The Telecommunications Commission is rude, and don't let you speak.

Robert McCarthy - Representing Cellular One and Metricom

- Experts came and concluded that the average radiation from a cell site is 200 times less than the microwave oven in our homes.
- The guidelines state that these antennas should be installed only in public buildings and not in residential buildings.

ACTION: No Commission action. The public hearing was closed for today. However, it will be reopened when this item is rescheduled and brought back to the commission.

AYES: Joe, Baltimore, Mills, Chinchilla, Fay, Salinas

ABSENT: Theoharis

21. 2000.200E (EDMONDSON: 558-6384)
2412 Harrison Street Live/Work Development -- Appeal of a Preliminary Negative Declaration: The project site is located on Block 3612, Lot 2, at 2412 Harrison Street between 20th and 21st Streets and adjacent to the San Francisco Recreation and Parks

Department's Mission Center. The project sponsor proposes to demolish the two existing commercial warehouse buildings (2-stories and 1-story, respectively), a total of 16,736 square feet. The project sponsor proposes to construct a 40-foot high 3-story building containing parking and live/work units on the ground floor and live/work units on the upper floors for a total of 28 parking spaces and 28 live/work units. New construction would total about 50,140 square feet, of which approximately 36,370 square feet would be live/work space, 3,470 square feet would be common area (including circulation and lobby), and 10,300 square feet would be a ground-floor parking garage (28 independently accessible off-street parking spaces, one (1) off-street loading space, mechanical space and tenant storage). The proposed building would have 100% lot coverage at the ground level. The upper floors would be set back 15' from the rear property line. The building would have an FAR of 2.6 to 1, less than the allowable 5:1. The project site is located in the C-M Heavy Commercial Zoning District and the 40-X Height and Bulk District. It lies within the Mixed Use Housing Zone of the Industrial Zoned Land Interim Zoning Controls where new live/work development is a principally permitted use.

Preliminary Recommendation: Uphold Negative Declaration

SPEAKER(S):

(-) Sue Hestor - Representing Mission Anti-Displacement Coalition

- She has requested the files from the Planning Department yet she has not been able to see the files. If there is a bad mailing list, people will not come to meetings or hearings.

- She raised questions about Best Foods building. There are a lot of dot.coms in the Best Foods facility.

- She asked staff in her appeal about the cumulative impact on live/work developments.

(+) Alice Barkley - Project Sponsor

- The appeal has no merit. There is no evidence submitted that this live/work project will have any significant impact on the environment.

- There is nothing wrong with the Best Foods project. There were traffic studies and analysis done as well.

Joe O'Donoghue

- Even before this case came to the Commission, during community meetings, the Best Foods project did not have much opposition.

- This project is excellent and it should be approved.

ACTION: Negative Declaration Upheld

AYES: Joe, Baltimore, Mills, Chinchilla, Fay, Salinas

ABSENT: Theoharis

MOTION No. 15989

G. SPECIAL DISCRETIONARY REVIEW HEARING

At Approximately 4:35 P.M. the Planning Commission convened into a Special Discretionary Review (DR) Hearing.

22. 2000.200D

2412 HARRISON STREET

(A. WONG: 558-6381)

This is a voluntary Discretionary Review of Demolition Permit Application No. 2000/08/02/6780 and Building Permit Application No. 2000/08/02/6778, proposing to demolish two buildings (one, one-story and one, two-story) and to construct a 28-unit live/work project. The project site is within a C-M (Heavy Commercial) District, a 40-X

Height and Bulk District, and a Mixed-Use Housing Zone.

Preliminary Recommendation: Take Discretionary Review and approve project with conditions.

(+) Alice Barkley - Representing Project Sponsor and DR Requestor

- The project sponsor requested Discretionary Review because of concerns expressed by the Department of Recreation and Park over the potential conflict between the use of the Mission Center and the construction.

- In the conditions of approval, she wants to make sure that it agreements reached with the Recreation and Park Department are noted on the notice of special restrictions.

(-) Sue Hestor

- Page 2 of her appeal on this project states that discussions should be made regarding the mixed use housing area regarding the need for new housing in particular for affordable housing.

- 100% of the space which is going to housing in the IPZ is going to non-family housing. It is going to upper income housing.

- El Tecolote stated that one of the most astonishing things going on in the Mission District is that there are no children--an article provided by a health organization.

- Don't go out to the community and tell people how much you care about families when projects are being approved for non-family units.

(+) Joe O'Donaghue

- Proposition M had a disastrous effect on housing. After Prop M passed, a moratorium was enacted against housing in the Sunset and in the Richmond.

ACTION: No Discretionary Review. Project approves as submitted.

AYES: Joe, Baltimore, Mills, Chinchilla, Fay, Salinas

ABSENT: Theoharis

23. 2000.932D (BRESSANUTTI: 575-6892)
637 NATOMA STREET/1132 HOWARD STREET, between 7th Street and 8th Street, Lots 015 and 036 in Assessor's Block 3727--Request for Discretionary Review of Building Permit Application No. 9826478s for new construction of a 3-story (plus mezzanines) building containing nine live/work units and 10 ground level off-street parking spaces. The project is within the RED (Residential Enclave District) and a 40-X Height and Bulk District along Natoma Street, and the SLR (Service/Light Industrial/Residential) District and a 50-X Height and Bulk District along Howard Street, and in a Mixed Use Housing Zone.
 Preliminary Recommendation: Do not take Discretionary Review and Approve as proposed.

SPEAKER(S): None

ACTION: DR Withdrawn

24. 2000.775D (MEHRA: 558-6257)
1111 LAKE STREET, south side between Funston and 12th Avenues, Lot 048 in Assessor's Block 1372 -- Request for Discretionary Review of BPA No. 200003275485S, proposing to construct a five foot by fourteen foot, three-story horizontal addition at the rear and three foot by twelve foot addition at the side of a three-story, single-family house in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary Review and approve the building permit application as submitted.

SPEAKER(S):

(-) Jim Frost - DR Requestor

- His concern is that there will be a 3-story building constructed right next to his house.
- He understands that although the construction meets code, his kitchen will become a dungeon.
- The proposed construction will change the quality of life to him and his family.

(+) Paul Rotter - Project Architect

- The project meets requirements and the Planning Code.
- The addition is modest
- The light will minimally be diminished but the light well will complement some of the light.
- There is a plant which diminishes some light already.

ACTION: No DR - Project Approved

AYES: Joe, Baltimore, Mills, Chinchilla, Fay, Salinas

ABSENT: Theoharis

25. 2000.876D (MEHRA: 558-6257)
2763 GREEN STREET, south side between Baker and Broderick Streets, Lot 024 in Assessor's Block 0955 -- Request for Discretionary Review of BPA No. 200003295753S, proposing to construct a two-story horizontal addition at the rear of a two-story single-family house in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District. Preliminary Recommendation: Do not take Discretionary Review and approve the building permit application as submitted.

SPEAKER(S):

(-) Tony Snyder

- He would like the Commission to review this project thoroughly.
- He is concerned with the rear addition only.

(+) Dare Hopkins

- He and his wife purchased their house about 10 years ago. Their house is the smallest on the block. They have studied the possibilities of expansion for 4 years. They love the neighborhood. They cannot construct up so instead they can only build on the back.

(+) John Gaddy

- He lives across the street of the proposed project.
- He has lived in this block for many years.
- He is in support of the construction.

ACTION: No DR - Project Approved

AYES: Joe, Baltimore, Mills, Chinchilla, Fay, Salinas

ABSENT: Theoharis

Adjournment: 5:30 p.m. in honor of Robin Jones

THE DRAFT MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, OCTOBER 12, 2000.

55
10
1/28/00

SAN FRANCISCO PLANNING COMMISSION

Meeting Minutes

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, September 28, 2000

1:30 PM

Regular Meeting

DOCUMENTS DEPT.

DEC 29 2000

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PRESENT: Baltimore, Chinchilla, Fay, Joe, Mills, Theoharis, Salinas
ABSENT: None

THE MEETING WAS CALLED TO ORDER BY PRESIDENT THEOHARIS AT 1:55 P.M.

STAFF IN ATTENDANCE: Gerald G. Green - Director of Planning; Larry Badiner - Zoning Administrator; David Alumbaugh; Mary Koonts; Moses Corrette; Catherine Keylon; Scott Sanchez; Tony Kim; Dario Jones; Matt Snyder; Andrea Wong; Judy Martin; Nora Priego - Transcription Secretary; Linda D. Avery - Commission Secretary

A. ITEMS PROPOSED FOR CONTINUANCE

1. 1999.684D (WILSON: 558-6602)
129 RANDALL STREET, south side between Whitney and Chenery Streets, Lot 038 in Assessor's Block 6663 -- Request for Discretionary Review of BPA No. 9911578, proposing to demolish the existing building and construct a new two-unit building in a RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review, approve project.
Prior Action: Public comment was closed at the February 17, 2000 hearing. The Commission continued the item to allow further discussion between the project sponsor and neighbors.
(Continued from Regular Meeting of August 17, 2000).
Note: On June 15, 2000, the Commission passed the following motions:
1st Motion: Take Discretionary Review with the following changes: 1) set back 8 feet further on the 4th floor; 2) project sponsor to continue to work with staff on architectural detailing of the facade with specific reference to the skylight on the 3rd

floor. Vote of +2 -2. Commissioners Antenore and Joe voted no. Commissioners Theoharis, Martin and Mills were absent.

2nd Motion: Take Discretionary Review with the following changes: 1) remove 4th floor 2) modify the front facade to fit into the character of the neighborhood. Vote +2 -2. Commissioners Chinchilla and Richardson voted no. Commissioners Theoharis, Martin and Mills were absent.

Note: On July 27, 2000, the representative of the project sponsor submitted revised plans. The Commission continued the matter for one week so they, staff, and the Discretionary Review Requestor would have an opportunity to review the new submission.

Note: On August 3, 2000, a motion to take Discretionary Review and remove the 4th floor failed to carry by a vote of +3 -3. The matter was continued to August 17, 2000. Commissioners Mills, Chinchilla and Richardson voted no. Commissioner Salinas was excused.

Note: On August 17, 2000, the Commission passed the following motions:

1st Motion: Take Discretionary Review with the following changes: 1) remove 4th floor; 2) modify the front facade to fit into the character of the neighborhood. Vote of + 3 -3. Commissioners Chinchilla, Mills and Salinas voted no.

2nd Motion: Take Discretionary Review with the following changes: 1) set back 8 feet further on the 4th floor; 2) modify the front facade to fit into the character of the neighborhood. Vote of +3 -3. Commissioners Theoharis, Antenore and Joe voted no. (~~Proposed for Continuance to October 5, 2000~~) October 26, 2000

SPEAKER(S):

Paul Curtis

-Read a letter from Andrea Wurland (DR Requestor) stating the request for continuing the matter until October 26, 2000 because she will be leaving the country on October 5, 2000, when the case had been originally postponed to.

ACTION: Continued to October 26, 2000

AYES: Baltimore, Joe, Mills, Theoharis, Chinchilla, Fay, Salinas

2. 2000.118E (BUFORD: 558-5973)

HARDING GOLF COURSE, Appeal of Preliminary Negative Declaration. The proposed project involves the upgrading and minor changes in the layout of Harding Park Golf Course, an 18-hole course located at Lake Merced in southwestern San Francisco. The existing nine-hole Fleming Course would not be substantially altered. The proposed project would include: removal of all existing grasses, replanting of tees, fairways, greens, and roughs with new grasses; realignment of the 13th fairway and green and relocation of the 18th green; and minor repositioning of several other greens and tees. Excavation and shaping of the ground surface would be required, generally to a depth of one foot or less. All existing buildings, including the clubhouse and pro shop, restaurant, cart barn, and maintenance building (totaling about 17,500 sq. ft. of floor area), would be demolished and replaced with new structures that would have approximately 30,000 sq. ft. of floor area. New structures include a combined and larger restaurant and clubhouse, and banquet facilities for group events. The proposed project would include construction of a driving range at a new location, double-decked with lighting to allow nighttime use; the existing driving range would be upgraded. Artificial turf would be used on the driving ranges. New irrigation systems would be installed on both the Harding and Fleming courses. Existing parking lots would be demolished and replaced at generally the same location as the main lot; about 50 parking spaces would be

added. About 120 mature trees – mostly eucalyptus, cypress, and pine – would be removed as part of the project; additional trees may be removed as part of a city plan to replace existing trees that are nearing the end of their life span. No wetlands would be affected by project-related construction. The project site is in a P (Public) Use District and an OS (Open Space) Height and Bulk District, and is within the Local Coastal Zone permit area.

(Continued from Regular Meeting of September 14, 2000)

Preliminary Recommendation: Uphold Negative Declaration

(Proposed for Continuance to October 5, 2000)

SPEAKER(S): **None**

ACTION: **Continued to October 5, 2000**

AYES: **Baltimore, Joe, Mills, Theoharis, Chinchilla, Fay, Salinas**

3. 1999.410E (HELMUTH: 558-5971)
450 RHODE ISLAND STREET DEVELOPMENT - CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT - The project site occupies Assessor's Block 3978, Lot 001, bounded by 17th, Rhode Island, Kansas and Mariposa Streets, and is in an M-1 (Light Industrial) Zoning District, in an Industrial Protection Zone (IPZ), and a 40-X Height and Bulk District. The proposed project would involve the demolition of an existing auto service and repair facility and the construction of a four-story, six-level building to provide approximately 312,724 square feet of multimedia space. The building would also provide 546 off-street parking spaces, 80 bicycle spaces and two off-street loading spaces. **Please note: The public hearing on the Draft EIR is closed. The public comment period for the Draft EIR ended on July 25, 2000. The Planning Commission does not conduct public review of Final EIRs. Public comments on the certification may be presented to the Planning Commission during the Public Comment portion of the Commission calendar.**
Preliminary Recommendation: Certify Environmental Impact Report.
(Proposed for Continuance to October 5, 2000)

SPEAKER(S): **None**

ACTION: **Continued to October 5, 2000**

AYES: **Baltimore, Joe, Mills, Theoharis, Chinchilla, Fay, Salinas**

4. 1999.410C (SCOTT: 558-6317)
450 RHODE ISLAND STREET. Assessor's Block 3978, Lot 001, bounded by 17th, Rhode Island, Kansas and Mariposa Streets --Request for Conditional Use Authorization (Planned Unit Development) to allow an alternate method of height measurement, provision of more parking than the maximum and findings related to demolition of an industrial building.. The proposed project would demolish a one story steel frame building occupied by an auto repair service (S. & C. Motors) to construct a new campus style building containing approximately 295,000 sq. ft. of Multimedia/business service space, ranging in height from 16.5 to 49.5 feet, and providing 546 parking spaces. The 80,000 sq. ft. site is in an M-1 (Light Industrial) zoning district, Industrial Protection Zone (IPZ) and in a 40-X Height and Bulk District.
Preliminary Recommendation: Approval with Conditions
(Proposed for Continuance to October 5, 2000)

SPEAKER(S): **None**

ACTION: **Continued to October 5, 2000**

AYES: **Baltimore, Joe, Mills, Theoharis, Chinchilla, Fay, Salinas**

5. 1999.243D (BANALES: 558-6339)
673-683 BRANNAN STREET/168-178 BLUXOME STREET, Lots 20 and 21 in Assessor's Block 3785, Staff-initiated Discretionary Review of Building Permits Application Nos. 9907388 through 9907391, proposing new construction of 177 live/work units. The subject property is in a SLI (Service / Light Industrial) Zoning District and a 50-X Height-Bulk District. It also lies within the Industrial Protection Zone, pursuant to Planning Commission Resolution No. 14861. Preliminary Recommendation: Do not take Discretionary review; approve project as proposed.
(Proposed for Continuance to October 5, 2000)

SPEAKER(S): **None**

ACTION: **Continued to October 5, 2000**

AYES: **Baltimore, Joe, Mills, Theoharis, Chinchilla, Fay, Salinas**

6. 2000.467C (TAM: 558-6325)
2362 MARKET STREET, north side of Market Street between Castro Street and 16th Street; Lot 11 in Assessor's Block 3562 - Request for a Conditional Use authorization pursuant to Planning Code Section 721.21 and 721.42, to allow the establishment of a full-service restaurant, approximately 3,375 square feet in size, in the Upper Market Neighborhood Commercial District. The proposal is to establish the Long Life Noodle Company and Jook Joint, providing approximately 80 seats and operating between 11:30 am to 11:00 pm. The proposal will include minor interior and exterior alterations that will not result in expansion of the building envelope.
Preliminary Recommendation: Approval with conditions
(Proposed for Continuance to October 26, 2000)

SPEAKER(S): **None**

ACTION: **Continued to October 26, 2000**

AYES: **Baltimore, Joe, Mills, Theoharis, Chinchilla, Fay, Salinas**

B. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes. If it is demonstrated that comments by the public will exceed 15 minutes, the President or chairperson may continue Public Comment to another time during the meeting.

"The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

Patricia Vaughey

- Last week she discussed issues on antenna installations.
- They hired an expert to measure the area where Ms. Tracy Hughes lives which is on 24th Street.
- The ANCI measurements were very high in that area. She lives in a rent-controlled apartment so she cannot afford to move.
- Other areas will be analyzed as well.
- This situation needs to be looked at very closely.
- They will try to get some funding for this analysis and she welcomes any Commissioner who would like to participate by coming to the areas where these analysis will take place.

C. COMMISSIONERS' QUESTIONS AND MATTERS**7. Commission Matters****Commissioner Theoharis:**

Legislation from Supervisor Katz to change the definition of live/work to loft housing. She knows that staff has been working on this but would like to have an interpretation prepared so that the Commission can initiate possibly on October 5, 2000.

D. DIRECTOR'S REPORT**8. Director's Announcements.**

None

9. Review of Past Week's Events at the Board of Supervisors & Board of Appeals.**BOS**

- 1748 Haight Street - Conditional Use - The Commission's decision was upheld.
- Emporium Site: Conditions imposed by the joint commissions--Planning and Park & Rec-- held on August 17, 2000 were adopted by the BOS.

BOA

- There was no meeting because of a lack of quorum.

10. (ALUMBAUGH: 558-6601)**BETTER NEIGHBORHOODS 2002 CONSULTANT CONTRACTS**

Consideration of a proposal to approve resolutions authorizing the Director of Planning to enter into contract with urban design, transportation planning, and economic and real estate consultants for funded work associated with the Better Neighborhoods 2002 program.

Preliminary Recommendation: Approval

(Continued from Regular Meeting of September 21, 2000)

SPEAKER(S): None

ACTION: Approved

AYES: Baltimore, Joe, Mills, Theoharis, Chinchilla, Fay, Salinas

RESOLUTION No. 15990

11. (KOONTZ: 558-6372/CORRETTE: 558-6295)

CENTRAL WATERFRONT CULTURAL RESOURCES SURVEY. Survey area bounded by 16th Street to the north, Islais Creek to the south, I-280 to the west and the Bay to the east. The Planning Department is asking the Planning Commission and the public to review and

comment on the proposed survey. The proposed survey is the first phase of a multi-year survey that will be used to create a citywide inventory of cultural resources. The need for a citywide inventory of cultural resources is identified in the Draft Preservation Element of the General Plan, May 31, 2000.

SPEAKER(S):

(+) Mark Ryser:

- The concept of further architectural survey is critically important.
- It will provide important tools for the department.
- A more detailed informational presentation should be scheduled.

(+) Mark Paez - Port of San Francisco

- He concurs with the comments of Mark Ryser.
- A further presentation should be scheduled to provide answers to questions the Commissioners might have.
- The Port of San Francisco is in support of this project.
- This will be the first cultural resource survey which has been scheduled in the last 10 years.
- The public was notified on other types of surveys and there were no negative comments.
- The only effective way that issues are flagged is to record it on landmark records.
- Although it has limited information, the Port of San Francisco will participate.

(+) Meb Gordon - Dogpatch Neighborhood Association

- Planning has worked very closely with the Dogpatch area.
- The neighborhood has been very supportive of this survey.
- She commends the Department for their hard work.

ACTION: Public hearing and discussion only. No Action Required.

E. REGULAR CALENDAR

- 12a. 2000.725C (KEYLON: 558-6613)
2500 MARKET STREET, north side between Diamond and Castro Streets, thru lot from Market Street to 17th Street, Lot 1 in Assessor's Block 2648- Request for Conditional Use Authorization under Planning Code Section 209.2(a) to use the existing structure as transitional housing for up to 15 homeless youths within an RH-3 (Residential, House, Three-Family) District and 40-X Height and Bulk District. The Zoning Administrator will conduct a joint hearing on a request for an off-street parking variance under Planning Code Section 151 and usable open space variance under Planning Code Section 135.
Preliminary Recommendation: Approval with conditions
(Continued from Regular Meeting of September 7, 2000)

SPEAKER(S):

(+) Mart Trotz - Project Sponsor - Director of Housing Development from the Department of Public Health

- Supervisor Mark Leno spearheaded this project over 2 years ago recognizing the need for youth.
- This project is within the scope of work that the Health Department considers important.
- This type of facility allows folks to come into the center and get treated.
- When young adults are left untreated or left without help the consequences are illness, incarceration, and death.
- The Health Department supports this type of facility.

- There have been very extensive discussions with the neighborhood: pros, cons, neutrals, etc.
- The Health Department has tried to address all the issues that have been established by these discussions.
- The Health Department formed an advisory committee to consider issues of this project.
- There are other facilities like this one and there have not been any negative comments from the neighbors.
- After other centers open, people have volunteered instead of protesting to shut it down.
- The Health Department will accept the conditions suggested by the City Attorney and/or the Planning Commission.

(+) Jim Fagler - Project Architect

- The ground floor will have only one entry. The other doors will be exit only and will have alarms. There are bathing facilities, lounge, restroom facilities, etc.
- The upper floor has 15 sleeping areas. There are areas with some privacy. There are also meeting areas. There is no access to the upper floor from outside.
- Security lighting and cameras will be installed.

(+) Rev. Yvette Flunder - Executive Director of the Ark of Refuge

- The refuge is known for working with a large population and helping folks that are not welcome at other places.
- They have 23 district programs sponsored by various city, local and federal funds.
- The determination is to outreach to these youth.
- This is not a permanent center. It will only be used as a transitional location for youth.

(+) Erik Politzer - Consultant - Ark of Refuge

- He has had this position for the past 9 years. He has also worked on housing programs for young adults for the last 3 years, specifically for LGBTQQ(Lesbian, Gay, Bisexual, Transgender, Queer and Questioning) young adults.
- The need for housing for young adults specifically for LGBTQQ is quite critical.
- In 1998, the Ark of Refuge was approached by Supervisor Amos Brown and The Mayors Office on Homelessness regarding providing a winter young adults homeless shelter. There were no major incidents in that center. The only incidents reported were caused by a crack house a few blocks away and an adult center also not too far away.
- The success of that program provided for other shelters.

(+) Debra Stein - President - GCA Strategies

- She is here not representing the interests of the Department of Public Health or any other private organization.
- There are 3 remaining conditions that still need to be addressed: amendments to conditions 9, 11, and 12. These are conditions which were agreed upon by all parties.
- It was an honor for her to have worked on this project.

(+) Joe Erenata - Member of the 2500 Market Advisory Committee to Dr. Katz

- He is the youth representative for the advisory committee.
- The Castro is a place where a lot of people will come because they are Lesbian, Homosexual, Transgender, Queer or Questioning.
- One of the problems these people have is that they can't find a place where they can find support.
- On the advisory committee, he will be committed to work with the neighbors and address issues in a timely matter.

(+) Tom Mogensen

- He once opposed the shelter on Church Street. He was mad because, as a neighbor, he was not asked to participate.
- He decided to get involved in this project and got to know everyone involved by name.

- He has realized that there is definitely a need for this center.
- Rather than oppose something, why not get involved and find out what it's all about?
- He supports the shelter.

(+) Brian Cheu - Executive Director of LYRIC

- He is the executive director of LYRIC
- This shelter is transitional as opposed to other shelters which are permanent.
- There is an immediate need for this type of housing program.
- They have often found that they cannot accommodate people because they are full.
- LYRIC will fully cooperate with this center.
- Often there are tensions involved when trying to located a place for these centers.

(+) Joseph Neisen - Executive Director of New Leaf

- They have been providing professional counseling services for about 20 years.
- They have experience and expertise and they will be cooperating with this center.
- He encourages the Commission to support this center and program.

(+) Dr. Patricia Perez-Arce - Director of Castro-Mission Health Center also President of Dimensions Center

- They have committed to be partners with this project.
- The Dimensions center is located at 27th and Noe Streets. The Dimension's mission is to serve the LGBTQQ people.
- Without consistent and stable housing, these people cannot receive services or treatment which is available.

(+) Douglas Rayner

- He owns a house near the center.
- Everyone knows that there is a homeless problem going on in the City.
- He urges the Commission to approve this proposal.

(+) Bob Burnside

- He started a community newspaper in the Castro. He really cares about the neighborhood and urges the Commission to approve this facility.
- There has been a lot of work involved in this project.
- The neighborhood should take responsibility of the problems of homelessness.

(+) William Wilson

- He would like the proper term be used: transitional housing.
- This is not a case of build it and they will come -- they are already here.
- How do youth people survive in the most expensive city in the country?
- Housing is needed now, especially as the winter months are coming.

(+) Mitch Thompson

- He is the director of the LGBTQQ youth programs for the Rec and Park Department.
- When he started the program over 5 years ago at the Eureka Valley Rec Center, he was surprised to see how many youth were on the streets.

(+) Carl Jaeger - Scott Street Portfolio, Inc.

- He lives close to the proposed site on Scott Street.
- He feels very lucky to have his home and realizes that a lot of times there are some of us who are close to not having a roof over our head.
- He could have wound up on the street yet he feels lucky that he was able to find service s which have helped him live a normal life.
- The rain is coming and people will need to have a place to stay.
- He will try to help any way he can with the program.

(+) Erik Schnabel - Queer Youth Training Collaborative/LYRIC

- He works for a program which helps LGBTQQ youth find jobs.
- There are many youth who are in dire need of housing.

- The problem of homelessness is not going away.
- They will be very happy to work with the shelter.

(+) Jeremy Ingram - LYRIC

- He came to San Francisco with the money to not be homeless but because of many problems he was very close to being homeless.
- He works but will be close to losing his job because he doesn't have a place to shower and/or groom himself.

(+) Dane Jonsten

- Some of the concerns that people have about this shelter is related to prejudice.
- Youth who are homeless are in danger of being killed, raped, etc. because they don't have a place to sleep at night.

(+) Aurora Grajeda

- He knows he is nobody, he is a pedestrian yet is involved with the community.
- This transitional house will help the youth with a place to stay since everything is so expensive.
- Although he has been living in San Francisco for 33 years and loves this City, there are problems that need to be faced.
- He doesn't see any reason to stop the approval of this project.
- He is a highly skilled professional yet it is difficult for him to get a job because of the way he looks.

(+) John Bryant

- Shelters have been placed far away from neighborhood districts.
- There has always been opposition to Social Service facilities.
- By approving this shelter, youth will have a place to be away from prostitution, death, drugs, etc.
- He urges the Commission to approve this shelter.

(+) Kathleen Gray

- She is homeless but works with the Coalition of Homelessness
- She doesn't work particularly with youth but is aware that there are youth that are homeless.
- The type of things faced on the street as an adult are incredible. It is so difficult to go to a job interview, because you don't have a phone to be reached at or a shower to groom yourself.
- Housing is the most important word nowadays.

(+) Matt Rowe - Haight/Ashbury Free Clinics

- He works with homeless youth and young adults.
- He has tried to get out of drugs and find a place to work yet he can't do it alone.

(+) Joshua Susser

- He lives near the proposed facility.
- A few years ago, he participated in the advisory committee for this project.
- This facility will not be a problem for the neighborhood.
- He was lucky to buy his home. Since he has purchased his home the property value has almost doubled.
- He believes that it's appropriate to house people in a neighborhood.

(+) Eric Ciasullo - Neighbor

- He lives in a beautiful Victorian near the project site.
- He is an employee of the sponsoring department.
- He is not here as a representative of the Health Department, he is here to offer help to youth who need a place to find relief.

(+) Delphine Brody - TransAction

- She is formerly a homeless youth.

- People who are youth already have a hard time constructing their lives.
- This project is very critical to help youth find a place to sleep.
- People in the Castro have picked up these youth, had relations with them and then thrown them back on the street.

(+) Laura Spanjlan

- Former legislative aid to Supervisor Katz
- She is here to say how much she has learned from a shelter.
- She learned that one of the biggest problems these kids have is that they don't have a place to put their "stuff."
- She learned about the community and the community process.
- There have been hours and hours of negotiations because people care and want to deal with everyone's issues.
- When this program is successful other communities will look at the Castro and see this as a symbol.

(+) Mathew Gomez

- Spoke in Spanish

(-) Herb Cohn

- The neighbors who were involved with the negotiations were from all over the neighborhood.
- He lives near the project.
- He has spent countless hours attempting to work with various organizations to structure a responsible homeless facility.

(-) Brian Fogarty

- He is a neighbor of the proposed project and a native of San Francisco.
- He is asking the Commission to adopt the finely crafted neighborhood conditions which have been developed.
- Many of the neighbors are willing to host a worthy project like this one in the neighborhood.
- The DPH has agreed to monitor the project and the neighborhood is in agreement with this.
- Conditions should be attached to this proposal.

(-) Joe Foster

- His neighborhood was opposed to an emergency homeless shelter. Supervisor Leno then came to them to ask them to form an advisory committee and decide what would be an appropriate shelter in their neighborhood.
- Many people have many different opinions on what is a responsible homeless shelter.
- This choice is a difficult one for the Commission to decide upon.
- Today it is a transitional housing shelter, but when licenses are approved it will become a permanent shelter.
- He would like the Commission to decline this proposal.

(-) Betty Killeen

- She lives in the Castro area.
- She is a NIMBY (Not in my back yard). She has been pushed and shoved living near the Arc of Shelter.
- She spoke to several organizations (about the Arc) and was told they couldn't do anything about it.

(-) Nila Camino

- She lives near the proposed facility.
- She is scared to live near this type of shelter.
- Many of the conditions she had agreed upon have been taken away. There have been a lot of people who have worked for many hours on this project, and every time attorneys are hired things start changing.

(-) Oren McEwen

Market Street to 17th Street; Lot 1 in Assessor's Block 2648 in an RH-3 (Residential House, Three-Family) District and 40-X Height and Bulk District.

OFF-STREET PARKING AND USABLE OPEN SPACE VARIANCES SOUGHT: The proposal is to establish transitional housing for up to 15 homeless youths in the currently vacant two-story, former City Athletic Club building, without providing any required off-street parking or usable open space.

(Continued from Regular Meeting of September 7, 2000)

SPEAKER(S): Same as those listed in item 12a

ACTION: The Zoning Administrator closed the Public Hearing and has taken the matter under advisement.

13. 2000.546C (SANCHEZ: 558-6679)
1320 VAN NESS AVENUE- (REGENCY THEATER), northeast corner at Sutter Street; Lot 013 in Assessor's Block 0670: Request for Conditional Use authorization pursuant to Section 209.6(b) of the Planning Code to install a total of twelve antennas and a base transceiver station on an existing four-story over basement building (Regency Theater) as part of Nextel's wireless telecommunications network in an RC-4 (Residential-Commercial Combined, High Density) District and a 130-V Height and Bulk District within the Van Ness Special Use District. Preliminary Recommendation: Approval with conditions

SPEAKER(S):

(+) Molly Cales - Representing Nextel Communications

- This is a very beautiful building. The antennas will be hidden from public view.

- The 10 point check list states that they will be well within all the Federal emissions standards.

ACTION: Approved with conditions as drafted

AYES: Baltimore, Joe, Mills, Theoharis, Chinchilla, Fay, Salinas

MOTION No. 15992

14. 2000.824C (YOUNG: 558-6346)
1351 GRANT AVENUE, west side between Vallejo and Green Streets; Lot 002 in Assessor's Block 0131: -- Consideration of the possible revocation of conditional use or the possible modification of or placement of additional conditions per Planning Code Section 303(f) of a prior authorization to allow the establishment of a full-service restaurant and bar, approximately 3,400 square feet in floor area, within the North Beach Neighborhood Commercial District and 40-X Height and Bulk District. The proposal is to consider revocation, modification, or placement of additional conditions on a conditional use authorization approved on December 17, 1998, for the conversion of a vacant commercial space, the former Figoni Hardware Store, into a full-service restaurant and bar, per Planning Code Sections 722.41 and 722.42. The proposed full-service restaurant and bar is located on the ground floor level of an existing three-story residential over commercial building. The proposal was approved under Building Permit Application No. 9912999. There have been unresolved complaints from the community in relation to the construction and operation of the facilities and the possible eviction of residential tenants within the building. Preliminary Recommendation: Planning Commission to schedule a subsequent hearing to consider the revocation, modification, or placement of additional conditions on the conditional use authorized in Motion No. 14785 under Case No. 1998.243C. (Continued from Regular Meeting of September 21, 2000)

SPEAKER(S):

Kim Aung - Attorney representing tenants at 1351 Grant Avenue

Wayne Hu - Representing owner of the restaurant at 1351 Grant Avenue

- They are available to the Commission regarding the request for continuance of this matter.
- They believe that within the two weeks they are asking for, they will be able to reach a settlement of the negotiations.
- The primary issues have been agreed to by both parties but there are some final issues to be dealt with.

ACTION:

Without hearing, continued to October 12, 2000

AYES:

Baltimore, Joe, Mills, Theoharis, Chinchilla, Fay, Salinas

15. 2000.397C (KIM: 558-6290)
1850 IRVING STREET, northeast corner at Irving Street and 20th Avenue; Lot 025 in Assessor's Block 1731- Request for Conditional Use Authorization to allow the installation of 16 panel antennas and an interior equipment shelter on the ground floor of an existing mixed-use building as part of a wireless telecommunication network, pursuant to Planning Code Section 711.83, in an NC-2 (Small-Scale Neighborhood Commercial) District and a 105-A Height and Bulk District. The proposal is to construct a fiberglass extension to an existing rooftop penthouse and flush mount a total of 16 panel antennas on all four sides. Each antenna measures approximately 36" tall by 10.25" wide and 3" deep. The top of the antennas would be approximately 115'-6" above sidewalk grade. All antennas would be painted to match the fiberglass penthouse. The equipment cabinet would be located on the ground floor and would not be visible from the street.
 Preliminary Recommendation: Pending
 (Continued from Regular Meeting of September 14, 2000)

SPEAKER(S):

Robert McCarthy - McCarthy & Swartz on behalf of Metricom

- Everyone who has raised an issue regarding antennas has raised the issue of health.
- There is no harm with these antennas.
- The AF at ground is .03%, the maximum wattage per transmitter is 1 watt per transmitter. The maximum radiated power is only 10 watts.
- There were various community meetings held.

(+) Jason Osborne

- He is a subscriber to Ricochet Modem and telecommutes.
- The speed is very low in the area right now. If this proposal passes he can work at faster speeds.

(+) Fritz Chang

- He agrees with the previous speaker.
- The service in the area is very slow.
- This installation will allow Ricochet to be faster and provide better service.

(-) Liz Longfellow

- About 70% of the tenants of the building is against this installation.
- Although there are reports that there are no health risks, she is still against this project.
- She has a six-month old baby and is concerned about the health of her family.

ACTION:

Approved with conditions as drafted

AYES:

Baltimore, Joe, Mills, Theoharis, Chinchilla, Fay, Salinas

MOTION No.

15993

16. 2000.709C (JONES: 558-6477)
246-260 JUDAH STREET, north side of Judah Street between 8th Avenue and 7th Avenue; Lot 023 in Assessors Block 1762 -- Request for a Conditional Use authorization to install a wireless telecommunication facility consisting of three (3) panel antennas and three (3) equipment cabinets on the rooftop of the existing three-story, approximately 38-foot high, Mixed Use (residential over commercial) building in the NC-2 (small scale neighborhood commercial) and a 40-X Height and Bulk District.
 Preliminary Recommendation: Approval with conditions

SPEAKER(S):

(+) Robert Crebs - Project Sponsor representing Sprint PCS

- This site complies with both WTS Sighting Guidelines and the San Francisco Municipal Code. - This is a preference 5.
- The antennas will be unintrusive.
- This site is necessary and desirable to provide better service to the neighbors.
- Community meetings were held and neighbors were notified of this project and no one attended.

ACTION: **Approved with conditions as drafted**

AYES: **Baltimore, Joe, Mills, Theoharis, Chinchilla, Fay, Salinas**

MOTION No. **15994**

17. 2000.401C (SNYDER: 575-6891)
1177 HARRISON STREET, southeast side between 7th and 8th Streets, Lot 131 in Assessor's Block 3758 -- Request for Conditional Use authorization under Planning Code Section 817.73 and 227(h) to install three sectors of antennas (four antennas in each sector) on the building's rooftop, in an SLI (Service/Light Industrial) District and a 30-X Height and Bulk District. The antennas would be mounted on poles on the rooftop approximately 37.5 feet above grade or 4.5-feet above the height of the building's parapet. The first sector would be installed on the southwest side of the building approximately 46-feet from the front of the building. The second sector would be installed on the northeast side of the building approximately 25-feet from the front of the building. The third sector would be installed at the east corner of the building. The antennas would not be screened. As part of the proposal, a base transceiver station would be installed on the property. The installation of the antennas and related equipment would be part of a wireless transmission network operated by Nextel Communications.
Preliminary Recommendation: Approval with conditions

SPEAKER(S):

(+) Molly Gills - Nextel Communications

- The 10 point check list was done by Hammett and Edison.
- She is available for questions.

ACTION: **Approved with conditions as drafted**

AYES: **Baltimore, Joe, Mills, Theoharis, Chinchilla, Fay, Salinas**

MOTION No. **15995**

18. 2000.640C (SNYDER: 575-6891)
1200 FOLSOM STREET, northwest corner of Folsom Street and 8th Street, Lot 6 in Assessor's Block 3729 -- Request for Conditional Use authorization under Planning Code Sections 816.73 and 227(h) to install three panel antennas on the Folsom Street - 8th Street corner of the rooftop in a SLR (Service / Light Industrial / Residential Mixed Use) District and a 50-X Height and Bulk District. The antennas would be installed within a stealth exhaust vent and would be approximately 30.66-feet above grade or 7.66-feet above the height of the building's parapet; the antennas would be setback from the Folsom Street frontage by approximately 5-feet and setback from the 8th Street frontage by approximately eight-feet. As part of the proposal, a base transceiver station would be installed on the property. The installation of the antennas and related equipment would be part of a wireless transmission network operated by Sprint PCS.
Preliminary Recommendation: Approval with conditions

SPEAKER(S):

(+) Robert Crebs - Representing Sprint PCS

- The antennas will be visually unintrusive

- Community meetings were held and neighbors were notified of the project. Three people attended the meeting.

ACTION: **Approved with conditions as drafted**

AYES: **Baltimore, Joe, Mills, Theoharis, Chinchilla, Fay, Salinas**

MOTION No. **15996**

19. 2000.788C (WONG: 558-6381)
3126 - 22ND STREET, north side, between South Van Ness Avenue and Capp Street; Lot 012 in Assessor's Block 3615 - Request for Conditional Use authorization to reduce the number of off-street parking spaces for a residential use required in a NC-1 (Neighborhood Commercial Cluster) Zoning District and a 50-X Height and Bulk District, pursuant to Planning Code Section 161(j). This proposal is to change the use of the first floor from office to residential in order to legalize the residential use and, thereby, establish a two-unit dwelling. Alterations to the exterior consist of the replacement and reconstruction of the rear stair, and modifications to the first floor interior will be to legalize the first floor unit and to address violations of the Building Code. In addition, the proposal includes the construction of an arbor, not to exceed 8'-0" in height, in the rear yard.
 Preliminary Recommendation: Approval with Conditions

SPEAKER(S):

(+) John Billmore - Owner of the Building

- His neighbors have given testimony that they agree with this project.

- His building is part of the "walking tour of the mission."

ACTION: **Approved with conditions as drafted**

AYES: **Baltimore, Joe, Mills, Theoharis, Chinchilla, Fay, Salinas**

MOTION No. **15997**

G. SPECIAL DISCRETIONARY REVIEW HEARING

At Approximately **6:20 P.M.** the Planning Commission convened into a Special Discretionary Review (DR) Hearing.

20. 2000.878D (KEYLON: 558-6613)
652 16TH AVENUE, between Balboa & Cabrillo, Lot 028 in Assessor's Block 1629 -- Request for Discretionary Review of BPA No. 200003033387, proposing to extend all three existing floors at the rear, add a two-story extension beyond the new three-story extension and construct a new fourth floor on top of an existing three-story, single-family dwelling in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Take Discretionary Review and approve with staff modifications.

SPEAKER(S):

(-) Jane Watanabe

- She was born in San Francisco and her home has been in the family for 40 years.

- The proposed addition will construct a total of 6 bathrooms, 3 decks, and many other extra rooms which will make the single-family home seem like a hotel.

- The house will have the most square footage of any other home on the block.

- The proposed penthouse will diminish light to her garden and kitchen.

- 27 of her neighbors agree that this project is too large.

(-) Ignatius Watanabe

- She is seeking to save Ms. Watanabe's kitchen and dining room.

- The petitions in support of the project are only 5. Only one resident lives on 16th Avenue.

- This project is just too large.

(+) Sam Qwong

- This house is only for himself and his family.
- He submitted a list of homes which the square footage is in the range to his home.
- His neighbor next door supports the project.
- There are 9 homes out of 30 homes that are larger in size than his home.
- Many of the homes surrounding the project have penthouses.
- He is willing to provide a sunroof so her neighbor can get more sunlight.

(+) Kaiman Ho

- He is a licensed appraiser
- He was asked by the owners to conduct a survey of the immediate vicinity around this project to find out if their homes have over 3,000 sf in gross living area.
- 626 16th Avenue, this is a 4-story building with a penthouse on top of the 3-story structure which total Sq. Footage close to 3,000.
- Within a 4 block radius of this project, there are about 25 single-family homes which consists of approximately 3,000 sf. The largest of these single-family homes has 14 rooms with 6 bathrooms.
- The expansion of the proposed house would not constitute a monster home.

(+) Jenny Quock

- They are planning to move the entire family to this house because right now they are living in 3 different houses.
- All she wants is a place where her family can live together and live comfortably.

ACTION: Take DR and Approve Project with removal of the fourth floor penthouse level and the 12 foot, 2-story rear extension.

AYES: Baltimore, Joe, Mills, Fay, Salinas

NAYES: Chinchilla, Theoharis

21. 2000.905D (KEYLON: 558-6613)
43 STARVIEW WAY, Lot 009, in Assessor's Block 2833. Request for Discretionary Review of BPA No. 200006021588, to construct a third floor addition, approximately 390 square feet, at the front of an existing two-story, single family dwelling within RH-1 (Residential House, One-Family) District; and 40-X Height and Bulk District.
 Preliminary Recommendation: Take Discretionary Review and approve with staff modifications.

SPEAKER(S):

(-) Greta Bordon - DR Requestor

- She is speaking just as a neighbor and not as part of any neighborhood organization.
- She is a neighbor on the north side of the proposed project.
- She gathered 35 names of neighbors who oppose this addition.
- This is a planned community.

(-) John Candisony

- He is a Midtown Terrace homeowner.
- If this project is approved, it will set a precedence
- He is against building on top and extending the project.

(+) John Ridenour - Project Sponsor

- His neighborhood is changing. If no changes were ever made in this neighborhood, the area would still be a hunting ground in Sutro Forest.
- He took great care to contact all his surrounding neighbors.
- His immediate neighbors were not in agreement of a back extension so he decided to build up.
- He still doesn't agree with staff recommendation for a setback of the building since it would undermine the stability of the hillside.
- He would like the Commission to approve his project as originally proposed.

(+) Donna Trousdale

- She supports the project since it does not disturb her home, light, or view in any way.
- (She read a letter from a neighbor who is in support of the project.)

- She does not agree with staff recommendation. She would like the proposed project to be approved as originally proposed.

(+) Gilbert de la Mora - President of the Midtown Terrace Homeowner's Association

- He has lived in the neighborhood for 40 years.

- For the following reasons, he concurs with the proposed project: the architectural committee approved the addition, the owner has communicated with his neighbors, and he has been sensitive to their needs.

(+) Karen Laufer

- She has lived in the neighborhood for about 7 years.

- There are young families coming into the neighborhood and they have the right to expand when their families begin to grow.

(+) Leslie B. Rall - Member of the Midtown Terrace Homeowner's Association

- She has lived in the neighborhood for 21 years.

- She agrees with the project as originally proposed.

(+) Glenn Berry

- The proposed addition would affect his property so he would like the Commission to approve the project as originally designed.

- At some point, he would like to have children and expand his home to accommodate his family.

(+) Andrew Junius

- He doesn't agree with staff's recommendation of the setback. He would like the Commission to approve the project as originally designed.

(+) Ruth Soopers

- She is John's sister-in-law

- The proposed design will not be some ugly, big thing that people will not want in their neighborhood.

(+) John Paul

- He has lived in the neighborhood since 1969.

- Young families should stay in the neighborhood.

(+) Ernest Kohn - Member of the Midtown Terrace Homeowner's Association

- He has lived in the neighborhood for 31 years.

- Spoke about the design of the home as compared to the design of the slope.

ACTION: No DR, Approved as Submitted

AYES: Baltimore, Joe, Mills, Theoharis, Chinchilla, Fay, Salinas

22. 1998.559D (MARTIN: 558-6616)
1 **ARKANSAS STREET**, east side between 16th and 17th Streets, Lot 001C in Assessor's Block 3952 -- Request for Discretionary Review of BPA 99211187S, proposing conversion of a 32,116 gross square foot manufacturing/warehouse/office use to an Internet Technology/Business Service use. The property is in an M-2 (Heavy Industrial) Zoning District, the Industrial Protection Zone and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve the project as proposed.

SPEAKER(S):

(-) Sue Hestor

- This is a change of use and that is the argument.

- This is a 32,000 sf conversion.

- The ZA's determination does not deal with the 320(f) and 325 Planning Code provisions.

- She submitted information which she states was ignored by the staff report and the ZA's report.

- The BOA has narrow jurisdiction over the ZA's determination.

- The document does not state that this project did not have to go through the office allocation process.

- The ZA has not made findings for various cases.
 - She is raising the issue here of what happens when the ZA ignores 320 and 325 provisions.
 - (+) Andrew Junius - Reuben & Alter**
 - What this case boils down to is this project is an office project rather than a business service project. The ZA makes these decisions and the place to go when you have problems with those decisions is the Board of Appeals.
 - He doesn't believe that they are in the right forum.
 - There is nothing to take DR on. He urged the Commission to approve the project.
 - (+) Denis Flaherty - He owns the proposed building.**
 - They have gone through long, tedious hardship.
 - They have gone through a lot to clean up the property.
 - They are not altering the outside structure.
 - He would appreciate the Commission's consideration and approve the project.
- ACTION: **Do not take DR and Approve Project as Proposed**
AYES: **Baltimore, Mills, Theoharis, Chinchilla, Fay, Salinas**
NAYES: **Joe**

Adjournment: 8:15 p.m.

THE DRAFT MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, OCTOBER 19, 2000.

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SAN FRANCISCO PLANNING COMMISSION

Meeting Minutes

Board of Supervisors Chambers - Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, October 5, 2000

1:30 PM

DOCUMENTS DEPT.

Regular Meeting

DEC 2 9 2000

SAN FRANCISCO
PUBLIC LIBRARY

PRESENT: Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis
ABSENT: None

THE MEETING a 1 WAS CALLED TO ORDER BY PRESIDENT THEOHARIS AT 1:37 P.M.

STAFF IN ATTENDANCE: Gerald G. Green - Director of Planning; Larry Badiner - Zoning Administrator; Paul Lord; Darwin Helmuth; Lois Scott; Craig Nikitas; Adam Light; Julian Banales; Nora Priego - Transcription Secretary; Linda D. Avery - Commission Secretary

A. ITEMS PROPOSED FOR CONTINUANCE

1. 1999.579C (GORDON: 558-6309)
301 1ST STREET, at the southeast corner of First and Folsom Streets, Lot 32 in Assessor's Block 3748 -- Request per Planning Code Section 304 for Conditional Use Authorization under the Planned Unit Development process to allow: (1) a structure over 40 feet in height in an R zoning district per Planning Code Section 253; (2) site coverage at ground level exceeding 80% on a sloping site per Planning Code Section 249.1(b)(1)(B); (3) separation between towers, above a height of 150 feet, of 80 feet rather than 150 feet, as required by Planning Code Section 270(e), pursuant to Planning Code 271; (4) exceptions to bulk limits of the "R" bulk district as stated in Planning Code Section 270 (e), pursuant to Planning Code Section 271; (5) parking within 25 feet of the street frontage on the ground floor on a small portion of the site per Planning Code Section 249.1(c)(5)(C); (6) a reduction in the loading requirement of Planning Code Section 152 from 2 spaces to 1 space per Planning Code Sections 304; (7) a small portion of the common open space to be provided in solaria (the fitness room and activity room) per Planning Code Sections 135(g)(3), 249.1(c)(4) and 304(d)(3); and (8) up to 1,000 gross square feet of the commercial space to be a small self-

service restaurant as required by Planning Code Sections 304(d)(5) and 710.44. The site is within the RC-4 (Residential Commercial High Density) District and the Rincon Hill Special Use District - Residential Subdistrict. The northern portion of the site is in a 200-R Height and Bulk district; the southern portion of the site is in a 250-R Height and Bulk district.

Preliminary Recommendation: Approval with conditions

(Proposed for Continuance to October 12, 2000)

SPEAKER(S): **None**

ACTION: **Continued to October 12, 2000**

AYES: **Baltimore, Joe, Mills, Theoharis, Chinchilla, Salinas**

ABSENT: **Fay**

2. 2000.884D (PURVIS: 558-6354)
688 POWHATTAN AVENUE, Appeal of a determination of compatibility, pursuant to Planning Code Section 242(e)(6)(B), of Building Permit Application No. 2000/04/04/6293, to construct a 3-story, single-family dwelling at a height of 30 feet and with two off-street parking spaces. The project site is within an RH-1 (Residential, House, One-Family) District, with a 40-X Height and Bulk designation and is within the Bernal Heights Special Use District.
Preliminary Recommendation: Take Discretionary Review
(Continued from Regular Meeting of September 21, 2000)
(Proposed for Continuance to ~~October 12, 2000~~ October 26, 2000)

SPEAKER(S): **None**

ACTION: **Continued to October 26, 2000**

AYES: **Baltimore, Joe, Mills, Theoharis, Chinchilla, Salinas**

ABSENT: **Fay**

3. 1997.433A (KOMETANI: 558-6478)
22 ALTA STREET, north side between Montgomery and Sansome Streets. Lot 34A in Assessor's Block 106 -- Request for Certificate of Appropriateness authorization, under Article 10 of the Planning Code, to construct a new, one-unit, residential building, two-stories at the front (Alta Street) elevation and five-stories at the rear in the Telegraph Hill Historic District. The subject property is zoned RH-3 (House, Three-Family) District and is in a 40-X Height and Bulk District.
Preliminary Recommendation: Approval
(Proposed for Continuance to October 19, 2000)

SPEAKER(S): **None**

ACTION: **Continued to October 19, 2000**

AYES: **Baltimore, Joe, Mills, Theoharis, Chinchilla, Salinas**

ABSENT: **Fay**

4. 1998.967C (MILLER: 558-6344)
3132 - 23RD STREET, northeast corner at Shotwell Street, Lot 20 in Assessor's Block 2628 - Planning Commission-mandated one-year review for compliance with conditions of approval of Motion No.14810 authorizing a **CONDITIONAL USE** to establish a **PLANT NURSERY WITH ASSOCIATED RETAIL SALES** in an RH-3 (House, Three-Family) District and a 40-X Height and Bulk District.
(Continued from Regular Meeting of August 17, 2000)

Note: On May 11, 2000, the Commission continued the matter to August 17, 2000 to allow compliance with conditions of approval.

Note: On August 17, 2000, the Commission continued the matter to October 5, 2000. This continuance is to allow for the required variance hearing to take place -- currently scheduled for Wednesday, September 27, 2000.

Note: Results from the Variance Hearing rescheduled for October 25, 2000 will be reported to the Commission on November 9, 2000.
(Proposed for Continuance to November 9, 2000)

SPEAKER(S): None

ACTION: Continued to November 9, 2000

AYES: Baltimore, Joe, Mills, Theoharis, Chinchilla, Salinas

ABSENT: Fay

5. 2000.943TZ (LORD: 558-6311)

GLEN PARK SPECIAL USE SUBDISTRICT - Consideration of a proposal to amend the Planning Code (Zoning Ordinance) by modifying the current NC-2 zoning controls in the vicinity of Monterey Boulevard, Diamond and Bosworth Streets to create a Glenn Park Special Use District. The proposed changes to the existing NC-2 zoning include;

* use controls intended to prohibit new non-residential uses that exceed 3,999 square feet of floor area; and

* map amendments to include the following Assessor's Blocks and Lots in the Glenn Park Special Use Subdistrict. Assessor's Block/Lot - 6739/006; 6740/003, 003A, 004, 017, 018, 019, 020; 6742/007, 008, 009, 010, 011, 012, 013, 014, 014A, 019, 020, 021, 022, 029, 030, 031; 6744/020, 021, 025, 026, 027, 031; 6745/025A, 026, 027, 028, 029, 044, 046, 060, 063; 6756/001, 009, 010, 011, 036; 6768/001, 003, 004, 037, 038, 039, 045.

(Proposed for Indefinite Continuance)

SPEAKER(S): None

ACTION: Continued Indefinitely

AYES: Baltimore, Joe, Mills, Theoharis, Chinchilla, Salinas

ABSENT: Fay

6. 2000.682C (BRESSANUTTI: 575-6892)

290 VALENCIA STREET, northwest corner of 14th Street; Lot 10 in Assessor's Block 3533: Request for Conditional Use Authorization, per Section 303(e) of the Planning Code, to change the existing Conditional Use Authorization for a 36-unit senior apartment project, approved for rental units, to allow owner-occupied units as well as rental units. All other aspects of the existing approval, including the occupancy by senior citizens and the requirement that 10 percent of the units be below market rate, would remain unchanged. The project is in a C-M (Heavy Commercial) District and a 50-X Height and Bulk District.

Preliminary Recommendation: Disapprove.

(Proposed for Indefinite Continuance)

SPEAKER(S): None

ACTION: Continued indefinitely

AYES: Baltimore, Joe, Mills, Theoharis, Chinchilla, Salinas

ABSENT: Fay

B. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes. If it is demonstrated that comments by the public will exceed 15 minutes, the President or chairperson may continue Public Comment to another time during the meeting.

"The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

SPEAKER(S):

Steve Williams

Re: Item No. 13, 338 - 12TH AVENUE

- He believes they have reached a tentative settlement on the case which would withdraw the DR.

Hiroshi Fukuda - Richmond Community Association

Re: Commissioner Antenore

- He was out of town several weeks ago and discovered on his return that Commission Antenore was fired.

- He can't understand how this could have happened without a hearing.

- This is supposed to be a democracy. He urges the other members of the Commission to join in protest.

- He believes that Commissioners should have diverse ideas, not ideas that are dictated by the Mayor or anyone else.

- New members to the Commission should bring forth new ideas not just one.

Mary Jue Loo

Re: Item No. 13, 338 - 12TH AVENUE

- She is the daughter of Mr. and Mrs. Jue

- She supports the settlement recently agreed upon.

Joanne Tinloy

Re: Item No. 13, 338 - 12th AVENUE

- She agrees with settlement but would like to ensure that the owner abides by the regulations.

Jew Mar

Re: Item No. 13, 338 - 12th AVENUE

- The property owner is trying to build a very large house.

- He is still in disagreement with the size of the proposed house.

Sam Manthorpe

Re: Item No. 13, 338 - 12th AVENUE

- He is opposed to the settlement. Mr. Lam's last minute compromise is acceptable to him.

Peter Ngau

Re: Item No. 13, 338 - 12th AVENUE

- He agrees with the settlement.

Galvin Wong

Re: Item No. 13, 338 - 12th AVENUE

- He supports the settlement.

Tom Ng

Re: Item No. 13, 338 - 12th AVENUE

- His parents bought a house on 12th Avenue. He opposes Mr. Lam's proposed addition.

Kai Loo

Re: Item No. 13, 338 - 12th AVENUE

- He has been a San Francisco resident for many years.

- He supports the last minute settlement if it's in agreement with all parties.

Helen Jue

Re: Item No. 13, 338 - 12th AVENUE

- She supports the last minute settlement.

C. COMMISSIONERS' QUESTIONS AND MATTERS

7. Consideration of Adoption - draft minutes of August 24, 2000 and September 7, 2000.

SPEAKER(S): **None**

ACTION: **without hearing, continued to October 12, 2000**

AYES: **Baltimore, Joe, Mills, Theoharis, Chinchilla, Salinas**

ABSENT: **Fay**

8. Commission Matters

Commissioner Theoharis:

The public has complained that the agendas are too long and they have to wait a very long time to hear their cases. She would like to have calendered on the October 12, 2000 agenda, a proposal to review the Commission's Rules and Regulations with a possible amendment to have Public Comment at the end of the calendar.

She would also like a staff person from the Planning Department and the District Attorney to look into the rules of conducting hearings and come up with suggestions to run the hearing in a more timely and efficient fashion that will best serve the public.

D. DIRECTOR'S REPORT

9. Director's Announcements.

None

10. Review of Past Week's Events at the Board of Supervisors & Board of Appeals.

BOS

Re: Emporium Project

- The Board approved the project and it will be moving forward.

BOA

RE: 326 18th Avenue

- The Commission heard this item on April 27 as a DR. The Commission denied the

proposal. The BOA overturned the Commission on a +5-0 vote.

Re: 829 Dehara Street

- This was a DR of a two family house. The Commission took DR and asked for modifications. The BOA overturned the Commission and imposed slight changes.

Re. 1624 Vallejo Street

- The Commission took DR and the BOA upheld the Commission with a +4-1 vote.

11. Status Report of the Job Housing Program
(See below)
12. Status Report on Supervisors Katz' Legislation regarding live/work.

The following report relates to both Items 11 and 12:

- In May of 1999, the department brought before the Commission the legislation which attempted to amend the OHPP provisions of the planning code and convert it to the jobs housing linkage expanding the number of activities which would be subject to affordable housing and child care exactions.

- The BOS in January, considered the legislation which the Commission acted upon and sought amendments of that legislation.

- This created two different versions of the same legislation. Both Supervisor Amiano and Supervisor Katz had amendments. The only difference was with regards to the definition of office use. On October 19, 2000 these two pieces of legislation will be brought to the Commission.

- The Commission will then advise the BOS as to the appropriate language and the appropriate fees.

- There are two ballot measures which will affect the definition of office use as well.

- Both Planning Department and City Attorney's Office as well as Supervisor's Amiano and Katz will be bringing recommendations to the Commission with regards to consistent definition of office use and fees.

- At that time the public will be allowed to comment.

SPEAKER(S):

John Bards

- Will there be materials available a week before the October 19, 2000 hearing regarding the legislation from Supervisor's Amiano and Katz?

(If there is material provided to the Commission, it will also be made available to the public)

E. CONSIDERATION OF FINDINGS AND FINAL ACTION - PUBLIC HEARING CLOSED

13. 1999.543DD (WOODS: 558-6315)
338 - 12TH AVENUE, east side between Geary Boulevard and Clement Streets, Lot 33 in Assessor's Block 1443 -- Request for Discretionary Review of BPA No. 9901007S, proposing to add a new fourth floor, front, side, and rear additions to the existing single-unit building at the front of the property only in an RM-1 (Residential, Mixed, Low Density) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve building permit application as revised.
Note: On June 8, 2000, following public testimony, the Commission closed public

comment and continued the matter to give staff time to review permit history.
(Continued from Regular Meeting of September 14, 2000)

SPEAKER(S):

Alice Barkley

- The settlement is on the design of the building.
- Both attorneys have agreed to taking DR to make revisions to the current design.

Steve Williams

- He agrees with the settlement.

ACTION: **Intent to take DR. Will be brought back to the Commission to October 19, 2000 with plans that reflect the agreement.**

AYES: **Baltimore, Joe, Mills, Theoharis, Chinchilla, Salinas, Fay**

F. REGULAR CALENDAR

14. 2000.1007T (LORD: 558-6311)
LIVE-WORK TO LOFT HOUSING AMENDMENT, Initiate amendments to Part II, Chapter 11, of the San Francisco Municipal Code (Planning Code) by amending Sections 102.7 and 102.13 to redefining "live/work" units as "loft housing" and classifying them as residential uses; repealing Section 233 regarding live/work; adding Section 232 to establish requirements for loft housing that would subject it to existing live/work controls except that there would be no restriction on the nature of work which could be performed in the unit so long as the use is permitted in the SSO (Service/Secondary Office) zoning district and no requirement that the occupant(s) work in the unit, would require loft housing to comply with inclusionary housing policies, would establish and in-lieu payment for affordable housing requirements in the 40/85 foot height district contained wholly within the South of Market Residential Service District (RSD), would require loft housing in residential areas to comply with all requirements for residential uses including the residential design guidelines, would require loft housing constructed in areas not zoned residential to comply with all requirements for residential uses except for height, front setback and open space requirements, would prohibit existing live/work units from being used or converted to office space, and establishes minimum dwelling unit air and light exposure standard; states that this ordinance supersedes any inconsistent Planning Commission policies.
Preliminary Recommendation: Initiate

SPEAKER(S):

(-) Carlos Romero

- He would like to address the affordable litigation aspect of it.
- There is a portion within the legislation which discusses a switching of the 10% construction of affordable housing in the development to a \$50 per sf fee. This would be about \$100 less than what is going to cost the live/work developers. This legislation deprives the City of San Francisco \$100 of impact mitigation per square foot.
- This part should be stricken.
- He believes the legislation is flawed. Supervisor Leno's legislation is much more appropriate to what the City of San Francisco really needs.

(neutral) Sue Hestor

- She would like to have Supervisor's Leno's legislation come before Supervisor's Katz' legislation.
- Why is one piece of legislation on the same subject moving and the other is not?
- The procedural issues should be addressed as well.

(+) Alice Barkley

- She urges the Commission to initiate the legislation as proposed.
- If the Commission does not initiate this legislation there will be a huge gap.
- This needs to be done before the interim controls end.

Eric Quesada - Mission Anti-Displacement Coalition

- He is wondering why the two legislations are not being presented together.
- How will this be moved forward without a true democratic process?

ACTION: **Initiated (Public Hearing scheduled for November 2, 2000)**AYES: **Baltimore, Joe, Mills, Theoharis, Chinchilla, Salinas, Fay**RESOLUTION No. **15999**

15. (RICH: 558-6345)

General Plan Referral for Urban Design aspects of the Third Street Light Rail Project, including, station platforms, street lighting, trackway paving, and other urban design elements.

Preliminary Recommendation: Finding of conformance with the General Plan.

(Continued from Regular Meeting of September 7, 2000)

SPEAKER(S): **None**ACTION: **Without Hearing, project continued to October 12, 2000**AYES: **Baltimore, Joe, Mills, Theoharis, Chinchilla, Salinas**ABSENT: **Fay**

16. 2000.118E (BUFORD: 558-5973)

HARDING GOLF COURSE, Appeal of Preliminary Negative Declaration. The proposed project involves the upgrading and minor changes in the layout of Harding Park Golf Course, an 18-hole course located at Lake Merced in southwestern San Francisco. The existing nine-hole Fleming Course would not be substantially altered. The proposed project would include: removal of all existing grasses, replanting of tees, fairways, greens, and roughs with new grasses; realignment of the 13th fairway and green and relocation of the 18th green; and minor repositioning of several other greens and tees. Excavation and shaping of the ground surface would be required, generally to a depth of one foot or less. All existing buildings, including the clubhouse and pro shop, restaurant, cart barn, and maintenance building (totaling about 17,500 sq. ft. of floor area), would be demolished and replaced with new structures that would have approximately 30,000 sq. ft. of floor area. New structures include a combined and larger restaurant and clubhouse, and banquet facilities for group events. The proposed project would include construction of a driving range at a new location, double decked with lighting to allow nighttime use; the existing driving range would be upgraded. Artificial turf would be used on the driving ranges. New irrigation systems would be installed on both the Harding and Fleming courses. Existing parking lots would be demolished and replaced at generally the same location as the main lot; about 50 parking spaces would be added. About 120 mature trees – mostly eucalyptus, cypress, and pine – would be removed as part of the project; additional trees may be removed as part of a city plan to replace existing trees that are nearing the end of their life span. No wetlands would be affected by project-related construction. The project site is in a P (Public) Use District and an OS (Open Space) Height and Bulk District, and is within the Local Coastal Zone permit area.

(Continued from Regular Meeting of September 28, 2000)

Preliminary Recommendation: Uphold Negative Declaration

SPEAKER(S): None
ACTION: Without Hearing, project continued to October 12, 2000
AYES: Baltimore, Joe, Mills, Theoharis, Chinchilla, Salinas
ABSENT: Fay

17. 1999.410E (HELMUTH: 558-5971)
450 RHODE ISLAND STREET DEVELOPMENT- CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT - The project site occupies Assessor's Block 3978, Lot 001, bounded by 17th, Rhode Island, Kansas and Mariposa Streets, and is in an M-1 (Light Industrial) Zoning District, in an Industrial Protection Zone (IPZ), and a 40-X Height and Bulk District. The proposed project would involve the demolition of an existing auto service and repair facility and the construction of a four-story, six-level building to provide approximately 312,724 square feet of multimedia space. The building would also provide 546 Off-street parking spaces, 80 bicycle spaces and two off-street loading spaces. **Please note: The public hearing on the Draft EIR is closed. The public comment period for the Draft EIR ended on July 25, 2000. The Planning Commission does not conduct public review of Final EIRs. Public comment on the certification may be presented to the Planning Commission during the Public Comment portion of the Commission calendar.**
Preliminary Recommendation: Certify EIR.
(Continued from Regular Meeting of September 28, 2000)

SPEAKER(S): None
ACTION: Final EIR certified
AYES: Baltimore, Joe, Mills, Theoharis, Chinchilla, Salinas, Fay
MOTION No. 16000

18. 1999.410C (SCOTT: 558-6317)
450 RHODE ISLAND STREET. Assessor's Block 3978, Lot 001, bounded by 17th, Rhode Island, Kansas and Mariposa Streets --Request for Conditional Use Authorization (Planned Unit Development) to allow an alternate method of height measurement, provision of more parking than the maximum and findings related to demolition of an industrial building.. The proposed project would demolish a one story steel frame building occupied by an auto repair service (S. & C. Motors) to construct a new campus style building containing approximately 295,000 sq. ft. of Multimedia/business service space, ranging in height from 16.5 to 49.5 feet, and providing 546 parking spaces. The 80,000 sq. ft. site is in an M-1 (Light Industrial) zoning district, Industrial Protection Zone (IPZ) and in a 40-X Height and Bulk District.
Preliminary Recommendation: Approval with Conditions
(Continued from Regular Meeting of September 28, 2000)

SPEAKER(S):

(-) Sue Hestor

- This project had a BOA hearing in August of 2000, on weather this was an office building.
- She still does not have a transcript of the hearing. She believes that if there is no transcript, the case has to be heard again at BOA.
- This is a huge issue. She believes that the Commission should have a copy of this transcript since the resolution is not the same as a transcript. Based on this, she has requested a continuance.

(-) Jim Reuben

- He is opposed to a continuance of the project.
- His letter is pretty complete in stating that there is no relevance with this transcript at the hearing.

- This is not the first time this has happened.

(+) Ron Kaufman - Project Sponsor

- The idea of this project started in mid 1998.
- He along with Macromedia are enthusiastic about this project.
- Their major concern was with the residents of the surrounding areas.
- S&C motors was a tenant of the property. That company is moving intact so there will be no displacement of jobs. They will be moving to Bayshore Boulevard.
- They have been successful in accommodating the neighbors of the surrounding area.
- They have done restoration work at the North Waterfront.
- He has raised funds for various non-profits.

(+) Andrea Cochran - Project Landscape Architect

- She lives and has her landscape architectural business in the Potrero Hill area.
- They will design a public park area for neighbors to enjoy.
- There will also be a landscaped terrace for the employees of Macromedia to enjoy.
- The labor unions have been cooperative in creating an apprentice program and employee training program.

(+) Betsy Nelson - CFO of Macromedia

- They are a profitable software company and not a dot.com.
- They have been in San Francisco for about 10 years.
- The company has been public for about 7 years.
- Employees total about 1,500 world-wide.
- They occupy 5 buildings currently in San Francisco.
- Over 65% of employees are in technical positions who are highly skilled and highly paid.
- They are a very environmentally friendly company.
- They provide a shuttle to and from BART for their employees.

(-) Raferty (last name unclear)

- Shé is here to describe their community action and community involvement.
- They focused on two areas: bridging the digital divide and employee action.
- The digital divide is the gap between those who do not have access to technology and those who do have access to technology especially providing access to jobs in this new economy. They partnered with various organizations like: OPNET, Bay Vac and Arriba Juntos.
- They have donated software and training with these organizations. They have also provided training for entry level positions.
- Employee action involves Team Macromedia events which involves employees contributions to the community.

(neutral) Steve Moss

- He just purchased his property near the proposed site.
- The signature gathering does not really show the support of the community.
- He urges the Commission to really look deeply into the community involvement.

(+) David Ellington - Former President of the Telecommunications Commission; Co-Chair and Co-Founder of OPNET:

- He is in support of the project.
- He knows Ron Kaufman very well since he used to be his landlord.
- The building will not be a skyscraper and will not be intrusive.
- Macromedia will provide jobs to various disadvantaged youth between the ages of 17 and 24 to begin working in the multimedia industry.
- He is proud and honored that Ron Kaufman is proposing this project.

(+) Dan Geiger

- He is Co-founder of OPNET
- He used to work near the proposed development therefore is familiar with the neighborhood.
- He is working with the Human Resources department of Macromedia to provide job opportunities.

(+) Edward Hatter

- He lives in Potrero Hill.
- Macromedia has communicated with the community and has listened to the community.
- There are two types of people in Potrero Hill, those with and those without. Macromedia will provide to those without.

(+) Gary Gemma

- He is a new homeowner on Kansas Street.
- He supports the project completely.
- Mr. Kaufman has been very concerned in asking the neighbors what they really want.
- Mr. Kaufman has also been very concerned about cleaning up Potrero Hill and making it more beautiful.

(+) Ann Cook

- She has lived on Kansas Street for many years.
- She supports the project completely.
- Mr. Kaufman has been sensitive to the neighbors and dealing with their issues.

(+) Bob Cantillo

- He has lived in Potrero Hill for about 8 years.
- He supports the project.
- If anyone moves into his neighborhood with some sort of commercial venture and tries to congest it, take advantage of it, or exploit it in any way whether it be by traffic, or over burdening the infrastructure, he would be totally against it.

(+) Manny Flores

- This is a creation of permanent and temporary jobs, jobs, jobs.

(+) Stan Warren

- He is the Secretary/Treasurer of the Building and Construction Trades Council. They represent over 32 construction and affiliated unions which comprise of about 32,000 union members.
- His organization is here to support this project.

(+) Rick Browning

- He is a Vice President of the Building Trades and also a business representative of the Elevator Construction Union.
- He has lived and worked in San Francisco for the past 23 years.
- He has seen a transformation of the area.
- This project is aesthetically pleasing.

(+) Patrick Lakey

- He is a member of Local 22.
- He is also a San Francisco resident and supports the project completely.
- This project is good for the City and for the State.

(-) Richard Marquez - MAC, Potrero Boosters

- He lives in the north Mission area.
- He opposes this project because of so many displacements and no affordable housing in the City.

(-) Chris Daly - MAC

- This project would fit the neighborhood if the neighborhood had the image of evictions,

gentrification and general displacement.

- The housing impacts of this project is very large.
- This project doesn't bring enough revenue to the neighborhoods.
- OPNET has traded 200 people in the past years.
- There is no community support for this project.

(-) John De Castro

- He's concern is with the loop which is being carved in the Planning Code.
- The ZA and the Planning Department still insists that this is manufacturing.
- Why is the SKS building at 350 Rhode Island being classified as office space yet this building is being called office services. This is a blatant attempt to get around Prop M.

(-) Tom Jones

- He is a Potrero Hill resident.
- Every time a use like this is approved, these people need to find a place to live.
- Where will all these people live?

(-) Andrew Woods

- He wants to make some comparison with this project and Bryant Square. They both are not right for the neighborhoods that they are in; they both are transport hubs; they will cause displacement. There is no difference between these jobs.
- Come November 7, the voters will pass Proposition L.

(-) Erick Quesada - MAC

- This is about development policies.
- Ron Kaufman stated that this project had a community process. This is a joke.
- The frustration around the community is that it is not a community planning process.
- This is about the development policies which are being implemented by this administration.

(-) Laura Farabo

- She is a third generation Californian.
- She lives on 17th and Kansas
- She will be impacted immediately by this project as will the entire neighborhood. There are still issues on parking and the size of this edifice and the impact on the quality of life on the people of Potrero Hill.
- These programs are ludicrous.

(-) Ron Grossheart

- He believes that this candy-coded thing is going to be approved by the Commission.
- He can't wait until November 7.

(-) Sue Hestor

- The analysis in the EIR states that there will be 900 people working there. This amount is not justifiable.
- The space per person is about 150 to 200 sf.
- There will be an incredible stress in parking and transit.
- This site should be provided for housing.

ACTION: Approved with conditions as drafted

AYES: Joe, Mills, Theoharis, Chinchilla, Salinas, Fay

ABSENT: Baltimore

MOTION NO. 16001

19. 2000.035C (NIKITAS: 558-6306)
 1101-1123 FILLMORE STREET, northwest corner of Fillmore Street and Golden Gate Avenue; Lot 052, in Assessor's Block 0755 -- Request for Conditional Use authorization pursuant to Section 712.83 of the Planning Code to install a total of nine antennas and a base transceiver station on an existing 31-unit apartment building as part of Sprint's wireless

telecommunications network in an NC-3 (Neighborhood Commercial, Moderate Scale) District and a 50-X Height and Bulk District. The subject site is within the Western Addition A-2 Redevelopment Area and is a Preference 5 location.
Preliminary Recommendation: Approval with conditions
(Continued from Regular Meeting of August 24, 2000)

SPEAKER(S):

(+) Robert Crebs - Project Sponsor representing Sprint PCS

- The proposed installation complies with the San Francisco Municipal Code and the WTS sighting guidelines.

(-) George Brooks Robertson

- He has lived in San Francisco for many years.
- This building is not retrofitted and is close to a senior citizen center.
- He opposes the installation of these antennas.

ACTION: Approved with conditions as drafted

AYES: Joe, Mills, Theoharis, Chinchilla, Salinas, Fay

ABSENT: Baltimore

MOTION NO. 16002

20. 1999.812L (LIGHT: 558-6254)
3200 CALIFORNIA STREET, north side of the street between Presidio Avenue and Walnut Street, Lot 6 in Assessor's Block 1021: The San Francisco Planning Commission will consider a proposal for Landmark Designation of the San Francisco Jewish Community Center. The proposal for Landmark Designation of this property was recommended by the Landmarks Preservation Advisory Board at its regular hearing of August 16, 2000. The site is in an RM-1 (Residential, Mixed, Low-Density) zoning district, and a 40-X height and bulk district.
Preliminary Recommendation: Disapproval

SPEAKER(S):

(+) Joshua Steinhauer - Coblenz, Patch, Duffy and Bass

- They will not have everybody testify yet the message is very clear that the JCC building should not be landmarked.
- Some believe that the JCC building should be landmarked because Arthur Brown Jr. had some role in the design of the building.
- The building is not architecturally significant. The building is not associated with any important persons or events.
- There are only people's fond memories.

(+) Kevin Hart - Gensler Architects

- There is a debate over the role Arthur Brown, Jr. played involving the design.
- This is not a very good building, especially in comparison to other buildings that Arthur Brown designed.

(+) Alan Rothenberg - Past President of the Jewish Community

- While he was president, the center went bankrupt.
- The people at the center have tried very hard to provide funds to keep the center running.
- This is not a safe building.
- The community has offered to fund the construction of a new building.

(+) Howard Fine - Current President of the Board of Directors of the Jewish

Community Center.

- The center has been around for 100 years. They have occupied 4 different buildings.
- The JCC has a variety of services for the neighborhood.
- For and in the past, people have tried to save the center but they cannot.
- Please consider that if the current JCC building is landmarked they will not be able to survive.

(+) Nate Levine - Executive Director of the JCC

- He strongly opposes the designation of landmark status to the current JCC building.
- The JCC has conversed with various architectural firms.

(+) Supervisor Kaufman

- She has been a member of the JCC for many years.
- Her children have attended various services at the JCC.
- The importance of the JCC is what is inside the center. The center cannot continue to function in it's current building so would like not to have the building landmarked.
- Programs are more important than the building itself.

(+) (Name unclear)

- He is a native San Franciscan
- He is excited about what is about to take place.
- He has had a lifelong involvement

(+) Rabbi Doug Kahn - Jewish Community Relations

- He attended the August 16 Landmarks Board Meeting.
- To recognize the cultural significance of the JCC, one has to look at the services it provides to its members.
- The JCC has collected thousands of signatures and thousands of support letters

(+) Ron Blatman - Presidio Heights Neighborhood Association

- He is a father of twin boys
- It is so important for this building not to be determined as a landmark. There seems to be a discussion about families leaving the City so the JCC is a good resource to enhance and serve those institutions that serve families. Also, as president of FAN, you don't find any neighbors that are against the construction of a new building.

(+) Sandee Blechman

- She has been at the center for 5 years.
- She has been intimately involved in developing the program
- There are many inadequacies for the building and has noticed the limitations the center has because of the current building.

(+) Lev Weisbach - Gensler Architects

- The existing building, as it is, cannot be reused.
- They looked at an alternative reuse scheme but there were a lot of deficits.

(+) David Freedman - Structural Engineer for the JCC

- The building requires major structural engineering work.
- The JCC should be housed in a new structurally sound and state-of-the art building.

(+) Sandy Gallanter

- He has been in housing and real estate preservation for many years.
- He knows what a historic building is and this is not a historic building. It does not require a landmark status.

(+) Jim Connors - Captain at the San Francisco Fire Department

- There are many deficiencies in the building that make it difficult to put out a fire there.

(+) Joe Rich - Treasurer of the JCC

- He opposes the landmark status.
- The JCC runs a deficit of \$300,000 a year.
- (+) Anita Friedman - Executive Director of the Jewish Family and Children Services**
- If Landmark status is passed it will not be able to provide and take care of these families.
- She urges the Commission not to pass Landmark status on the current JCC building.
- (+) John Rothmann - Laurel Heights Improvement Association**
- He has spent a lifetime at the JCC. His children participate regularly at the JCC.
- This center deserves a new building.
- There are certain parts of the building which will be preserved.
- (+) Gale Mondry**
- She co-chairs the JCC Capital Campaign.
- Any decision to landmark the building would hurt the center's capital campaign.
- The new center should provide services to the people who participate in the center.
- (+) J. Moreau Brown - President of the Monte Fiori Senior Center**
- The JCC is opposed to the landmark status of the building.
- He has been a member for 22 years. He speaks with validity and truth.
- (+) Mel Lichtman - Past Member of the Brotherhood Way Neighborhood Center**
- This center went out of business because it didn't have the proper facility.
- This should not happen to the JCC.
- (+) Ron Miguel - President of the Planning Commission of the Richmond District.**
- Many people in the Richmond use the services of the JCC.
- His mother raised funds for the JCC and he used to use the services for many, many years
- (+) Jefrie Palmer**
- The JCC building is like a terminal cancer patient which is dying from within.
- He has been an employee of the JCC for many years, he met his wife there and his children have participated in services there.
- This building is just saying: "please let me go!"
- (-) Arnie Lerner**
- The real issue here is money.
- (-) Paul Finwall - Member of the Landmarks Advisory Board**
- He would like the JCC to go back and look further into designating the building as a landmark.
- If this had not been such a hotly contested issue, it would have had a unanimous vote. The building qualifies as a landmark. It qualifies for the national register. There aren't many landmarked buildings in the area.
- (+) Don Andreini - San Francisco Heritage**
- Some of the problems the current JCC building has are the same City Hall had before it was renovated.
- The JCC should be designated as a landmark.
- (+) Robert O. Appleton, Architect**
- His father's firm designed this building. He is the most emotionally involved person regarding the JCC.
- The building should be demolished because it's tired and it needs to be retired and a new building built.
- ACTION:**

Project Disapproved for Landmarks Status because of the following additional findings: There is significant disagreement as to the importance of the building. There is not enough evidence that the principal architect was Arthur Brown. The design of the building does

not distinguish significant qualities. The existing building does not have significant landscaping or enough public spaces.

AYES: **Joe, Mills, Chinchilla, Salinas, Fay**

ABSENT: **Baltimore, Theoharis**

RESOLUTION NO. **16003**

G. SPECIAL DISCRETIONARY REVIEW HEARING

At Approximately **5:54 P.M.** the Planning Commission convened into a Special Discretionary Review (DR) Hearing.

21. 1999.243D (BANALES: 558-6339)
673-683 BRANNAN STREET/168-178 BLUXOME STREET, south side of Brannan Street between 5th and 6th Streets, Lots 20 and 21 in Assessor's Block 3785, Staff-initiated Discretionary Review of Building Permits Application Nos. 9907388 through 9907391, proposing new construction of 177 live/work units. The subject property is in a SLI (Service / Light Industrial) Zoning District and a 50-X Height-Bulk District. It also lies within the Industrial Protection Zone, pursuant to Planning Commission Resolution No. 14861.
 Preliminary Recommendation: Do not take Discretionary review; approve project as proposed.
 (Continued from Regular Meeting of September 28, 2000)

SPEAKER(S):

(+) Steve Vettel - Representing Project Sponsor

- It took a long time to get the transportation analysis done.
- The Commission considered the Negative Declaration which was appealed but was approved.
- There is no opposition in the immediate vicinity.
- The project does provide 177 live/work units. If the new legislation passes it will be called loft housing.
- This provides much needed housing.

(+) Paul Chow - Architect

- Submitted actual material samples.
- He will work with staff to choose this material.

(+) Joe O'Donaghue

- His company supports this project.
- This project needs to be approved. It is consistent with what has been approved before.
- This project will provide funds.
- This project meets all the criteria.

(+) Mack Burton

- He would like the Commission to approve this project. The developer has provided many funds to schools,

(+) Lou Rovano

- The neighborhood is not in opposition to this project.
- They have talked to the neighbors and they all agree with the project.

(+) Amon Hurlehe

- He has lived in the Mission District for many years.

(-) Sue Hestor

- It's too bad that two of the Commissioners are not here to vote on the largest live/work,

development ever.

- This developer is eliminating live/work use.

(-) Gary Moody - Member of Dog Patch

- He complained about Linda Richardson and her conflict of interest with the RDA. He has filed an ethics complaint. He has also filed an ethics complaint regarding Commissioner Salinas since he is an agent with the Carpenter's Union and the Union is doing business with Residential Builders.

ACTION: Take DR and approve based on staff recommendations

AYES: Joe, Mills, Chinchilla, Salinas, Fay

ABSENT: Theoharis and Baltimore

22. 1999.858D (M. SNYDER: 575-6891)
241 - 8TH STREET, east side between Howard and Clementina Streets, Lots 35 and 36 (to be merged) in Assessor's Block 3730 -- Request for Discretionary Review of Building Permit No. 200005220612, proposing to demolish an existing shed building and to construct an approximately 50-foot tall building containing 14 live/work units and 14 off-street parking spaces in an SLR (Service/Light Industrial/Residential Mixed Use) District, a Mixed-Use Housing Zone, and a 50-X Height and Bulk District.
Preliminary Recommendations: Do not take Discretionary Review and approve the project as proposed.

SPEAKER(S): None

ACTION: DR Withdrawn

Public Comment Continued:

Sue Hestor

- Public Comment should not be moved to the end of the calendar. People have no idea what time meetings will be over. The public should have the right to testify and not have to take off the whole afternoon.
- If the Commission has problems with Public Comment then, the Commission needs to follow closely time limits.
- This is going to be on the calendar next week and the Secretary should put it in bold on next week's calendar.

Joe O'Donahue

- If the public comment had been moved to the end of the hearing, the people who were here for the JCC who are mostly elderly, would have to still be here in order to be able to speak.
- He can turn out many people to come to these hearings because they are organized.

Gary Moody

- Most people have to work. Especially because this Commission is making it increasingly impossible to live in San Francisco.
- He would still like to hear from Commissioner Salinas regarding his relationship with the Carpenter's Union and Residential Builders.

Adjournment: 5:30 p.m.

THE DRAFT MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, OCTOBER 19, 2000

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SAN FRANCISCO PLANNING COMMISSION

Meeting Minutes

Board of Supervisors Chambers - Room 250

City Hall, 1 Dr. Carlton B. Goodlett Place

Thursday, October 12, 2000

1:30 PM

Regular Meeting

DOCUMENTS DEPT.

DEC 29 2000

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PRESENT: Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis
ABSENT: None

THE MEETING WAS CALLED TO ORDER BY PRESIDENT THEOHARIS AT 1:40 P.M.

STAFF IN ATTENDANCE: Gerald G. Green - Director of Planning; Larry Badiner - Zoning Administrator; Ken Rich; Paul Maltzer; Hillary Gitelman; Leslie Buford; Jonathan Purvis; Nora Priego - Transcription Secretary; Andrea Green -Acting Commission Secretary

A. ITEMS PROPOSED FOR CONTINUANCE

1. 1999.579C (GORDON: 558-6309)
301 1ST STREET, at the southeast corner of First and Folsom Streets, Lot 32 in Assessor's Block 3748 -- A proposal to develop the site with up to 342 dwelling units, approximately 10,300 square feet of ground floor and second floor retail and professional services space, and 342 to 349 independently accessible parking spaces and 113 tandem spaces. Request per Planning Code Section 304 for Conditional Use Authorization under the Planned Unit Development process to allow: (1) a structure over 40 feet in height in an R zoning district per Planning Code Section 253; (2) site coverage at ground level exceeding 80% on a sloping site per Planning Code Section 249.1(b)(1)(B); (3) separation between towers, above a height of 150 feet, of 80 feet rather than 150 feet, as required by Planning Code Section 270(e), pursuant to Planning Code 271; (4) exceptions to bulk limits of the "R" bulk district as stated in Planning Code Section 270 (e), pursuant to Planning Code Section 271; (5) parking within 25 feet of the street frontage on the ground floor on a small portion of the site per Planning Code Section 249.1(c)(5)(C); (6) a reduction in the loading requirement of Planning Code Section 152 from 2 spaces to 1 space per Planning Code Sections 304; (7)

a small portion of the common open space to be provided in solaría (the fitness room and activity room) per Planning Code Sections 135(g)(3), 249.1(c)(4) and 304(d)(3); and **(8)** up to 1,000 gross square feet of the commercial space to be a small self-service restaurant as required by Planning Code Sections 304(d)(5) and 710.44. The site is within the RC-4 (Residential Commercial High Density) District and the Rincon Hill Special Use District - Residential Subdistrict. The northern portion of the site is in a 200-R Height and Bulk district; the southern portion of the site is in a 250-R Height and Bulk district.

Preliminary Recommendation: Approval

(Continued from Regular Meeting of October 5, 2000)

(Proposed for Continuance to October 19, 2000)

SPEAKER(S): **None**

ACTION: **Continued to October 19, 2000**

AYES: **Theoharis, Mills, Baltimore, Chinchilla, Fay, Joe, Salinas**

2a. 2000.291CZ (WOODS: 558-6315)

1062 OAK STREET, north side, between Divisadero and Scott Streets, Lot 19 in Assessor's Block 1216 - Request to amend the Planning Code Zoning Map to reclassify a portion of Lot 19 from an RH-3 (Residential, House Districts, Three-Family) Zoning District to an NC-2 (Small-Scale Neighborhood Commercial District) Zoning District. Currently, the northern portion of Lot 19 (trapezoidal-shaped of approximately 113 feet wide by 82 feet deep) is zoned RH-3 and is in a 40-X Height and Bulk District; the southern portion of Lot 19 (a narrow strip of approximately 25 feet wide by 90 feet deep) is zoned NC-2 and is in a 65-A Height and Bulk District. The proposal is to reclassify the RH-3 portion of Lot 19 to NC-2 to allow the expansion of an existing car wash (Touchless Car Wash). The Height and Bulk District of the reclassified portion of Lot 19 would remain 40-X.

Preliminary Recommendation: Adoption of the Draft Resolution for Reclassification.

NOTE: On August 24, 2000, after public testimony, the Commission closed public comment and continued the matter to September 14, 2000 to allow the project sponsor time to meet with neighborhood groups and develop modifications to the project. Public comment will be re-opened to address proposed modifications only.

(Continued from Regular Meeting of September 14, 2000)

(Proposed for Continuance to October 26, 2000)

SPEAKER(S): **None**

ACTION: **Continued to October 26, 2000**

AYES: **Theoharis, Mills, Baltimore, Chinchilla, Fay, Joe, Salinas**

2b. 2000.291CZ (WOODS: 558-6315)

444 DIVISADERO STREET AND 1052-62 OAK STREET, northeast corner of Oak and Divisadero Streets, Lots 5, 17, 18 and 19 in Assessor's Block 1216 - Request for Conditional Use Authorization under Sections 186.1, 209.7, 303, 304 and 711.59 of the Planning Code to permit a Planned Unit Development for the expansion of an existing car wash (Touchless Car Wash) in an NC-2 (Small-Scale Neighborhood Commercial District) Zoning District with 65-A and 40-X Height and Bulk Districts.

Preliminary Recommendation: Approval with conditions.

NOTE: On August 24, 2000, after public testimony, the Commission closed public comment and continued the matter to September 14, 2000 to allow the project sponsor time to meet with neighborhood groups and develop modifications to the project. Public comment will be re-opened to address proposed modifications only.

(Continued from Regular Meeting of September 14, 2000)

(Proposed for Continuance to October 26, 2000)

SPEAKER(S): **None**
 ACTION: **Continued to October 26, 2000**
 AYES: **Theoharis, Mills, Baltimore, Chinchilla, Fay, Joe, Salinas**

3. 2000.474E (KUGLER: 558-5983)
1001 17th Street. Appeal of a Preliminary Negative Declaration. The proposed project is located at the southwest corner of 17th Street and Pennsylvania Avenue in the northern portion of the Potrero Hill Neighborhood (lots 9 & 10 of Assessor's Block 3987). The project would remove an existing single-story warehouse with office mezzanine and adjacent storage yard and would construct a new four-level over basement, 50-foot tall, commercial building of approximately 68,290 sq.ft. for business service use with retail on the ground floor. The site has an approximate area of 15,361 sq. ft.. The building entrance and access to the 57 spaces of parking (50 independently accessible and 7 tandem) in the ground and basement levels would be from Pennsylvania Avenue while the loading dock entrance would be off 17th Street. Along with about 37,000 sq.ft. of commercial/business service uses the building would contain about 2,550 sq.ft. of retail space and about 28,740 sq.ft. of parking/building service area. The proposed building would be constructed to cover the entire site. The site is zoned M-2 with a 50-X Height/Bulk District.

(Proposed for Continuance to November 16, 2000)

SPEAKER(S): **None**
 ACTION: **Continued to November 16, 2000**
 AYES: **Theoharis, Mills, Baltimore, Chinchilla, Fay, Joe, Salinas**

B. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes. If it is demonstrated that comments by the public will exceed 15 minutes, the President or chairperson may continue Public Comment to another time during the meeting.

"The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

C. COMMISSIONERS' QUESTIONS AND MATTERS

- 4.. Consideration of Adoption - draft minutes of August 24, September 7, 14, 21, 2000.
 ACTION: **Approved**
 AYES: **Theoharis, Mills, Baltimore, Chinchilla, Fay, Joe, Salinas**
5. Commission Matters

6. **PLANNING COMMISSION MEETING SCHEDULE:** Consideration of a proposal to amend Article IV, Section 8 of the Rules and Regulations of the San Francisco Planning Commission by amending the Order of Business. The Planning Commission will hear testimony and consider a proposal to amend their Rules and Regulations by altering the location of the Public Comment category of their Regular Meeting agenda to allow for a more efficient use of the public's time and participation.

SPEAKER(S): **None**

ACTION: **Continued to October 19, 2000**

AYES: **Theoharis, Mills, Baltimore, Chinchilla, Fay, Joe, Salinas**

D. DIRECTOR'S REPORT

7. Director's Announcements.
None
8. Review of Past Week's Events at the Board of Supervisors & Board of Appeals.
None

E. CONSIDERATION OF FINDINGS AND FINAL ACTION - PUBLIC HEARING CLOSED

9. 1999.639D (ARCE: 558-5986)
265 TINGLEY STREET, on the south side of the intersection of Tingley Street and San Jose Avenue, Lot 048 in Assessor's Block 6781 -- Request for Discretionary Review of BPA No. 9505908S, proposing to construct a new single-family house on a vacant lot in a RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: No recommendation at this time.
(Continued from Regular Meeting of July 20, 2000).
Note: On February 3, 2000, following public testimony, the Commission closed the public hearing and continued this matter to 2/17/00 with instructions to staff to explore and address traffic concerns.
The vote was +7 -0.
(Continued from Regular Meeting of July 20, 2000)

SPEAKER(S): **None**

ACTION: **Without Hearing. Continued to October 26, 2000**

AYES: **Theoharis, Mills, Baltimore, Chinchilla, Fay, Joe, Salinas**

10. 1999.543DD (WOODS: 558-6315)
338 - 12TH AVENUE, east side between Geary Boulevard and Clement Streets, Lot 33 in Assessor's Block 1443 -- Request for Discretionary Review of BPA No. 9901007S, proposing to add a new fourth floor, front, side, and rear additions to the existing single-unit building at the front of the property only in an RM-1 (Residential, Mixed, Low Density) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve building permit application as revised.
Note: On June 8, 2000, following public testimony, the Commission closed public comment and continued the matter to give staff time to review permit history.
Note: On October 5, 2000, the Commission passed a motion of intent to take Discretionary Review and approve as agreed with the Discretionary Review Requestor and Sponsor by a vote of +7 -0.
(Continued from Regular Meeting of October 5, 2000)

SPEAKER(S): None
ACTION: Without Hearing. Continued to October 19, 2000
AYES: Theoharis, Mills, Baltimore, Chinchilla, Fay, Joe, Salinas

F. REGULAR CALENDAR

11. (RICH: 558-6345)
General Plan Referral for Urban Design aspects of the Third Street Light Rail Project, including, station platforms, street lighting, trackway paving, and other urban design elements. Preliminary Recommendation: Finding of conformance with the General Plan.
(Continued from Regular Meeting of October 5, 2000)
- SPEAKER(S): None
ACTION: Public Hearing Closed. Continued to October 26, 2000
AYES: Theoharis, Mills, Baltimore, Chinchilla, Fay, Joe, Salinas
12. 1999.603E (GITELMAN: 559-5977)
555 MISSION STREET OFFICE PROJECT. Certification of the Final Environmental Impact Report (EIR). The proposed project involves demolition of six existing buildings and construction of a new 31-story building (about 455 feet tall including parapet) containing about 557,000 gross square feet (gsf) of office space, about 8,000 gsf of retail space, and about 38,990 gsf of below grade parking (about 150 valet spaces in two levels). A plaza of about 11,000 sf would be constructed between the new building and the office building at 101 Second Street to the west. The project site is on the south side of Mission Street, between First and Second Streets, and within the C-3-O (Downtown Office) zoning district; Assessor's Block 3721, Lots 69, 70, 78, 79, 80, and 81. **Please Note: the public hearing on the Draft EIR is closed. The public comment period for the Draft EIR ended on August 29, 2000. The Planning Commission does not conduct public review of Final EIRs. Public comments on the certification may be presented to the Planning Commission during the Public Comment portion of the Commission calendar.**
Preliminary Recommendation: Certify EIR.
- SPEAKER(S): None
ACTION: EIR Certified
AYES: Theoharis, Mills, Baltimore, Chinchilla, Fay, Joe, Salinas
MOTION NO. 16004
13. 2000.118E (BUFORD: 558-5973)
HARDING GOLF COURSE, Appeal of Preliminary Negative Declaration. The proposed project involves the upgrading and minor changes in the layout of Harding Park Golf Course, an 18-hole course located at Lake Merced in southwestern San Francisco. The existing nine-hole Fleming Course would not be substantially altered. The proposed project would include: removal of all existing grasses, replanting of tees, fairways, greens, and roughs with new grasses; realignment of the 13th fairway and green and relocation of the 18th green; and minor repositioning of several other greens and tees. Excavation and shaping of the ground surface would be required, generally to a depth of one foot or less. All existing buildings, including the clubhouse and pro shop, restaurant, cart barn, and maintenance building (totaling about 17,500 sq. ft. of floor area), would be demolished and replaced with new structures that would have approximately 30,000 sq. ft. of floor area. New structures include a combined and larger restaurant and clubhouse, and banquet facilities for group events. The

proposed project would include construction of a driving range at a new location, double-decked with lighting to allow nighttime use; the existing driving range would be upgraded. Artificial turf would be used on the driving ranges. New irrigation systems would be installed on both the Harding and Fleming courses. Existing parking lots would be demolished and replaced at generally the same location as the main lot; about 50 parking spaces would be added. About 120 mature trees – mostly eucalyptus, cypress, and pine – would be removed as part of the project; additional trees may be removed as part of a city plan to replace existing trees that are nearing the end of their life span. No wetlands would be affected by project-related construction. The project site is in a P (Public) Use District and an OS (Open Space) Height and Bulk District, and is within the Local Coastal Zone permit area.

(Continued from Regular Meeting of October 5, 2000)

Preliminary Recommendation: Uphold Negative Declaration

SPEAKER(S):

(neutral) Stephen Johns

- He lives about 2 blocks away from the golf course.
- He would like to request an opportunity to study and discuss and address the specific issues related to the proposal. He feels he is being denied this opportunity if the Commission upholds the negative declaration.
- His neighborhood will greatly be impacted by traffic and herbicide which will be sprayed at the golf course.
- An EIR would allow everyone an opportunity to study and find out what is going on and address issues accordingly.
- Please do not issue a negative declaration on this project.

(-) Adena Rosemerin - one of the appellants

- The first step of this project, the broadcast application of roundup, is prohibited by the City's IPM ordinance. Palmer has applied for an exception, but it has not been granted. Therefore the first step of this project is either illegal or non-existent. The PND cannot be adopted.
- If there is substantial evidence in light of the whole record before the lead agency that the project may have a significant affect on the environment, an EIR should be prepared.
- The construction date has been moved from this fall to next spring. This change will likely result in earth moving and other heavy construction during the nesting season.
- Red-Legged Frogs are a federally-protected species and there are documented occurrences of these frogs.

(-) Daniel Murphy - Golden Gate Audubon Society

- Their first concern is with tree cutting since it will affect nesting birds. Tree cutting should not occur during February and July.
- The night lighting will impact migratory birds which four species are federally listed.
- There are a number of endangered species.
- This project needs much more study.

(-) Did not state name

- The Lake Merced watershed is a crucial resource for San Francisco, there are endangered species involved and there are impacts on the human environment as well.

(+) Phil Havnacheck - Board Member of Harding Club Men's Club

- He supports the project as well as many other community organizations.
- The lighting issue is not as significant. It's a small driving range which will be lit and not the whole golf course.

(+) Lou Perrone - President of the Harding Park Golf Club

- The board and the majority of the members of the club support the Negative Declaration.
- He believes that there has been extensive studies done and there will be no damage to the

environment. It will actually be a first step to renovate the Lake Merced area.

(+) Mike Blankinship - Arnold Palmer Golf

- He supports the Negative Declaration

(+) Chris Hamill - Arnold Palmer Golf

- He declines comment.

(+) Dan McKenna - Rec and Park Department

- This issues has been thoroughly discussed at the Rec and Park Department.

- Regarding the pesticides, danger to the environment will be addressed through a resource management plan.

- Light on the driving range will not affect migratory birds. They are looking into curtailing the lights in the evening especially during seasons that may be more sensitive to migratory birds.

ACTION: Negative Declaration Upheld

AYES: Theoharis, Mills, Baltimore, Chinchilla, Fay, Joe, Salinas

MOTION NO. 16005

14. 2000.824C (YOUNG: 558-6346)

1351 GRANT AVENUE, west side between Vallejo and Green Streets; Lot 002 in Assessor's Block 0131: -- Consideration of the possible revocation of conditional use or the possible modification of or placement of additional conditions per Planning Code Section 303(f) of a prior authorization to allow the establishment of a full-service restaurant and bar, approximately 3,400 square feet in floor area, within the North Beach Neighborhood Commercial District and 40-X Height and Bulk District. The proposal is to consider revocation, modification, or placement of additional conditions on a conditional use authorization approved on December 17, 1998, for the conversion of a vacant commercial space, the former Figoni Hardware Store, into a full-service restaurant and bar, per Planning Code Sections 722.41 and 722.42. The proposed full-service restaurant and bar is located on the ground floor level of an existing three-story residential over commercial building. The proposal was approved under Building Permit Application No. 9912999. There have been unresolved complaints from the community in relation to the construction and operation of the facilities and the possible eviction of residential tenants within the building.

Preliminary Recommendation: Planning Commission to schedule a subsequent hearing to consider the revocation, modification, or placement of additional conditions on the conditional use authorized in Motion No. 14785 under Case No. 1998.243C.

(Continued from Regular Meeting of September 28, 2000)

SPEAKER(S): None

ACTION: Without Hearing. Continued to October 26, 2000

AYES: Theoharis, Mills, Baltimore, Chinchilla, Fay, Joe, Salinas

15. 2000.579C (PURVIS: 558-6354)

50-68 JULIAN AVENUE, west side between 14th and 15th Streets, a through lot from Julian Avenue to Caledonia Street; Lot 22 in Assessor's Block 3547 -- Request for Conditional Use Authorization under Planning Code Sections 726.81, 726.11, 726.21 and 726.24 to construct a large institution on a lot greater than 3,000 square feet, with a non-residential use size greater than 3,000 square feet, and with an outdoor activity area, within the Valencia Street NCD (Neighborhood Commercial District) with a 50-X height and bulk designation. The project would involve demolition of three 3-story buildings on the site and construction of a 4-story, 26,560 gross-square-foot, 80-bed residential care facility. The facility would include counseling offices, a small mental health clinic, administrative offices, community space, and eight off-street parking spaces.

Preliminary Recommendation: Approval with Conditions

SPEAKER(S):

(+) Helen Waukuzoo - Friendship House

- She is from the Navajo Nation.
- She has been Executive Director with the Friendship House for 14 years and employed there for over 20 years.
- She has prayed and dreamed for this project for many years.
- She is happy that they finally found a site where they can provide services to the Indian community. They will be able to provide 80 beds, jobless programs, prevention programs for women and youth as well as a mental health program.
- They are very excited about this project and would like to thank all the people who have supported this project.

(+) Ron Rowell - Friendship House Association of American Indians

- He urges the Commission to approve this project.
- He has been working for 14 years to be able to have American Indians to once again own property in this City.
- American Indians have the lowest health status, mostly because of substance abuse.

(+) Ray Moisa - Development Consultant for Friendship House

- He has been involved in this project for the last 4 years.
- This project has been a dream of the organization for more than 14 years.
- He would like to address the issues of local support for this project. They have petitions and letters of support.
- They have spoken to about 75% of the neighbors and businesses in the surrounding areas. No one was opposed to the project.

(+) Ashley Phillips - Development Director of Native American Health Center

- He has been working with Friendship House and preparing for this fantastic project.

(+) Martin Waukazoo - Native American Health Center

- He came to the San Francisco Bay Area in 1967. He has been Executive Director of the Native American Health Center for 20 years.
- It is kind of ironic that on this day, October 12, the Native American community comes before the Commission requesting to be a part of this City and this community and be able to put down their roots on this new facility.
- There is no opposition within their community and there is no opposition from their neighbors.
- They are truly a community clinic.

(+) Echo Tescier

- He is doing an internship at the U.C. Berkeley.
- Helen Waukazoo has invited him to be part of the Friendship house and do his internship as a counselor and a researcher.
- He supports this project.

(+) Parousha Zand

- She has lived in San Francisco since she was 10 years old and currently she resides in the Mission District.
- The Mission District has been going through a lot of changes and controversy. Housing has become less available and non-profits have been replaced by dot.comers and other office space.
- She is so thrilled that Friendship House is proposing to expand residential services at this time of great need.
- Homelessness and substance abuse has become clearly visible on their door steps.

(+) Myra Smtih

- Her family has been living in the Mission District for the past 44 years.
- Friendship House has helped her, her sons and her family to have a better life.

(+) Thomas Phillips - Friendship House

- There are many and various Indian tribes in California.
- In the 1980s there were about 250 beds for treatment for alcohol and substance abuse for Indian people in the State of California. Today there are less than 75.
- The current programs that Friendship House offers help to many people.

(+) Sally Ramon

- Although she has not had problems with alcohol or narcotics, it has affected her people and her family.
- Behind the Armory, there are a number of homeless people and abandoned cars. She and a friend often have to go by there to find out what services Friendship House is currently providing.
- She is in support of the project.

(+) Karen Doris Wright

- Although she has to pay for the services at Friendship House since she is a non-Indian, she still likes to participate in the services that they provide and attends graduations.
- She supports the project.

(+) Concha Saucedo Martinez - Director of Instituto Familiar de La Raza

- She is Chicana, Mexican and a Yaki Native.
- She is here to support a great accomplishment.
- The Community in particular the Mission, needs this kind of project.
- It is very important that the Commission support this project. It is an accomplishment for a non-profit to be able to be involved in community development.
- This is the type of community, human development that is needed.

(+) Did not state name

- She has been in recovery for the past 15 years. In her recovery, she has gone back to work and has received her degree.
- Friendship House has provided recovery services to Indian people in the bay area.

(+) Paul Wagner

- There is a great need for this project to become a reality.
- He has gone through treatment at Friendship House and is grateful for that.

(+) Did Not State His Name - Executive Director of Solidarity of San Mateo County

- He is a Native American. His encounters with Friendship House and all the residents and graduates have always been welcome at his fellowship.
- He is also the liaison representative of MECA (Mission Economical Cultural Association); he collaborates with Mitch Salazar who is the Director of the San Francisco District Attorney Community Base Program, his rapport with Friendship House and the people that have come out of there is excellent.
- He is grateful that San Francisco has open arms for Indian people and will continue to do so.

(+) Alvin Ruzo

- He is a graduate and alumni from Friendship House.
- This facility is excellent for Native American men and women since in the area of Fresno, where he is from, there aren't any treatment facilities for women.

(+) Sharyl Sena

- She is the attorney for Friendship House for at least 10 years.
- This is a wonderful and dynamic organization that has had excellent leadership for many years.
- Friendship House is committed to working with the neighborhood and following all the applicable laws that it will be subject to.

(+) Yule Summers

- He is here to support Friendship House. He came here with no job and no hope. Today he has hope and has a job and it's all because of Friendship House.

(-) Giny Feanester

- She is a tenant at 52 Julian Street. She is here to express the concerns of the tenants from 50-68 Julian Street. The demolition of this building will force them to lose their homes.

ACTION: **Approved**

AYES: **Theoharis, Mills, Baltimore, Chinchilla, Fay, Joe, Salinas**

MOTION NO. **16006**

Adjournment: 4:15 p.m.

THE DRAFT MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, NOVEMBER 16, 2000



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SAN FRANCISCO PLANNING COMMISSION

Meeting Minutes

Board of Supervisors Chambers - Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, October 19, 2000

1:30 PM

Regular Meeting

DOCUMENTS DEPT.

DEC 29 2000

SAN FRANCISCO
PUBLIC LIBRARY

PRESENT: Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis
ABSENT: None

THE MEETING WAS CALLED TO ORDER BY PRESIDENT THEOHARIS AT 1:35 P.M.

STAFF IN ATTENDANCE: Gerald G. Green - Director of Planning; Larry Badiner - Zoning Administrator; Mary Woods; Cecilia Jaroslowsky; Paul Deutsch; Judy Martin; Julian Banales; Andrea Wong; Nora Priego - Transcription Secretary; Isolde Wilson - Acting Secretary Commission Secretary

A. ITEMS PROPOSED FOR CONTINUANCE

1. 2000.746C (YOUNG: 558-6346)
898 STOCKTON STREET, Clay and Sacramento Streets; Lot 17 in Assessor's Block 0225:
-- Request for Conditional Use Authorization pursuant to Sections 812.49 and 812.26 of the Planning Code to convert retail commercial space into a financial service institution at the ground floor and mezzanine level of an existing three-story building with an ATM (automated bank teller machine) walk-up facility at the property line within the CR-NC (Chinatown Residential Neighborhood Commercial District) and 65-A Height and Bulk District.
WITHDRAWN

SPEAKER(S): None
ACTION: Withdrawn
2. 1999.579E (NISHIMURA: 558-5967)
301 - 1ST STREET, RESIDENTIAL DEVELOPMENT PROJECT - Certification of the

Environmental Impact Report (EIR). The proposed project is removal of a 200+-space parking lot, and new construction of a two-tower residential building consisting of 342 dwelling units, 454 residential parking spaces and seven retail employee parking spaces, and 10,300 square feet of retail space on an approximately 38,000-square-foot site on the southeast corner of Folsom Street, Lot 32 in Assessor's Block 3748; within an RC-4 (Residential-Commercial, Combined, High-Density) District, Rincon Hill Special Use District -Residential Subdistrict, and 200-R and 250-R Height and Bulk Districts. One tower, on the north portion of the building, would be 200 feet high and the other tower on the south side of the building would be 250 feet high. Parking would be provided from two levels to five levels below ground on the sloping site with the entrance/exit on First Street and an exit on Grote Place off of Folsom Street, where access also would be provided for one off-street truck loading space.

PLEASE NOTE: The public hearing on the EIR is closed. The public comment period for the Draft EIR ended on August 29, 2000. The Planning Commission does not conduct public reviews of Final EIRs. Public comment on the EIR certification may be presented to the Planning Commission during the Public Comment portion of the Commission calendar.

Preliminary Recommendation: Certify the Environmental Impact Report
(Proposed for Continuance to October 26, 2000)

SPEAKER(S): None

ACTION: Continued to October 26, 2000

AYES: Theoharis, Mills, Baltimore, Chinchilla, Fay, Joe, Salinas

3. 1999.579C (GORDON: 558-6309)
301 - 1ST STREET, at the southeast corner of First and Folsom Streets, Lot 32 in Assessor's Block 3748 -- proposal to develop the site with up to 342 dwelling units in two buildings (one of approximately 200 feet in height, the other of approximately 250 feet in height), approximately 10,300 square feet of ground floor and second floor retail and professional services space, and 342 to 349 independently accessible parking spaces and 113 tandem spaces. Request per Planning Code Section 304 for Conditional Use Authorization under the Planned Unit Development process to allow: (1) a structure over 40 feet in height in an R zoning district per Planning Code Section 253; (2) site coverage at ground level exceeding 80% on a sloping site per Planning Code Section 249.1(b)(1)(B); (3) separation between towers, above a height of 150 feet, of 80 feet rather than 150 feet, as required by Planning Code Section 270(e), pursuant to Planning Code 271; (4) exceptions to bulk limits of the "R" bulk district as stated in Planning Code Section 270 (e), pursuant to Planning Code Section 271; (5) parking within 25 feet of the street frontage on the ground floor on a small portion of the site per Planning Code Section 249.1(c)(5)(C); (6) a reduction in the loading requirement of Planning Code Section 152 from 2 spaces to 1 space per Planning Code Sections 304; (7) a small portion of the common open space to be provided in solaría (the fitness room and activity room) per Planning Code Sections 135(g)(3), 249.1(c)(4) and 304(d)(3); and (8) up to 1,000 gross square feet of the commercial space to be a small self-service restaurant as required by Planning Code Sections 304(d)(5) and 710.44. The site is within the RC-4 (Residential Commercial High Density) District and the Rincon Hill Special Use District - Residential Subdistrict. The northern portion of the site is in a 200-R Height and Bulk district; the southern portion of the site is in a 250-R Height and Bulk district.

Preliminary Recommendation: Approval with conditions
(Continued from Regular Meeting of October 5, 2000)

(Proposed for Continuance to October 26, 2000)**SPEAKER(S): None****ACTION: Continued to October 26, 2000****AYES: Theoharis, Mills, Baltimore, Chinchilla, Fay, Joe, Salinas****B. PUBLIC COMMENT**

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes. If it is demonstrated that comments by the public will exceed 15 minutes, the President or chairperson may continue Public Comment to another time during the meeting.

"The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

Patricia Vaughey*Re: Touchless Car Wash*

- She has been instructed to read a letter from the neighbors of the Touchless Car Wash. The letter made reference to the fear that neighbors feel since the owners of Touchless Car Wash have created new plans which were submitted without notifying them.

- This violates the trust the neighbors had with the owners of the car wash.

- She will submit the letter to the Department.

John DeCastro - Potrero Hill*Re: Article in the Bay Guardian*

- He made reference to an Article in the Bay Guardian of October 18, 2000 regarding Live/Work developments and statistics.

Joe O'Donoghue - Residential Builders

- Last evening, at the Board of Building Appeals meeting, an ally of Mr. de Castro stated he that works as a day laborer occasionally doing handwork in live/work buildings. This person sees people sleeping there as opposed to working there.

C. COMMISSIONERS' QUESTIONS AND MATTERS

4. Consideration of Adoption - draft minutes of 9/28/00 & 10/5/00

ACTION: Approved**AYES: Theoharis, Mills, Joe, Baltimore, Chinchilla, Salinas, Fay**

5. Commission Matters

None

6. PLANNING COMMISSION MEETING SCHEDULE: Consideration of a proposal to amend Article IV, Section 8 of the Rules and Regulations of the San Francisco Planning Commission by amending the Order of Business. The Planning Commission will hear testimony and consider a proposal to amend their Rules and Regulations by altering the location of the Public Comment category of their Regular Meeting agenda to allow for a more efficient use of the public's time and participation.
(Continued from Regular Meeting of October 12, 2000)

SPEAKER(S):

(-) Norman Roff

- He would like to state the fact that the Municipal Transportation Agency, The Public Utilities Commission and Parking and Traffic Commission all hold Public Comment at the beginning.
- Because of the fact that the meetings of the Planning Commission go for such a long time, and one can never estimate when an item will go on, it is only fair that the Commission allow people to speak at the beginning of the meeting.
- DBI has two Public Comment periods and the Commission can adopt this system. If not then Public Comment should be made at a specific time.

(-) Joe Luttrell - Telegraph Hill Neighborhood Dwellers

- The Commissioners have one of the toughest jobs in city government.
- One of the good things about having Public Comment at the beginning, everyone is still fresh since the meeting has just started.
- The other option would be to have Public Comment at a specific time. That way, people can arrive for a specific time.

(-) Steve Williams

- He opposes the rule change.
- Public Comment serves an education purpose for the Commission.
- The Commission really depends on Public Comment.
- The Rules should encourage public participation.
- To have public comment at the end of the meeting would encourage people not to come to speak.

(-) Aurora Grajeda

- Would like to thank the Commission for approving the project at 2500 Market Street.
- The Commission's responsibility is to the public. The Commission should also have the best interest of the public.
- Many people will not be able to come to the meetings if Public Comment is changed.

(-) Eric Quezada - MAC

- The public had to endure years of struggle to try to get the Commission to understand what live/work is all about, they had to endure the lies about dot.coms--that offices weren't offices, double standards on how developers are treated and how community members are treated, endure hate letters and threatening phone calls because they stepped forward. There was never any conversation with anyone to say how can this situation be made better.

(-) Jose Morales - Senior Housing Action Collaborative

- Moving Public Comment to the end of the meeting would cause a great problem for seniors.
- Please pay attention to the public and do not make arrangements without consulting the public.

(-) Antonio Diaz - PODER and MAC

- He doesn't approve of the rule change.
- By moving Public Comment to the end of the hearing, it would shut people's mouths and the public would not be able to have their voices heard.
- A few months ago, he and other people had to wait for many hours before they were able

to speak.

(+) Jeffrey Heller - Heller/Manus Architects

- Public Comment at the end of the meeting would enable people to come to the meetings and not necessarily have to miss time from work. This would give an opportunity for people's voices to be heard.
- Public Comment is only for items not on the calendar.
- The public is more hurt by having Public Comment at the beginning.

(-) Mary Ann Miller - San Francisco Tomorrow and SPEAK

- She has been coming to the Commission for many years.
- Public Comment provides opportunity for the public to bring to the Commission and the Planning Department items and concerns that they might not be aware of.
- Keep the 1:30 time for 15 minutes. Then add some time a few minutes before the end of the meeting for additional public comment.
- Put Public Comment at the beginning and at the end of the meeting.

(-) Dick Millet - Potrero Boosters

- Everyone has spoken quite eloquently.
- This would be a bad move for the Commission since they need the public relations.

(-) Rob Eshelman - Tenant Organizer with the Housing Rights of San Francisco and member of MAC

- Every decision that this Commission make is +7-0 in favor of development.
- It is really bad to make senior folks, disabled folks, and families wait around until 9:00 p.m. to comment on issues that affect their neighborhoods.

(-) Christian Parenti - MAC

- He is a Mission District resident.
- He opposes the changes.
- The real issue is that the Commission fears democracy.
- It would be best to just eliminate public comment.

(-) Jeannene Przyblyski - Collingwood Hill Neighborhood Association

- She has concerns about monster homes in neighborhoods in San Francisco.
- Please leave the Public Comment at the beginning of Commission meetings.
- This proposal is not regarded as an attempt to facilitate people's access to the Commission.

(-) Bill Wilson

- Have two public comments at each hearing that would make it more convenient for people.
- There are people that are coming to the Commission to let Commissioners know that their lives are changing.
- It is important that Public Comment be left where it is.

(-) Christine Linnenbach

- Submitted a Press Release from the Seniors and Veterans for Integrity in Government.
- People who are senior citizens have to take public transportation, if public comment was moved to the end of the hearing, they would either have to go home late on public transportation or not be able to attend at all.
- These are public hearings and public participation requires a process where people can participate.
- Please stop fighting, people want to work with the city. This idea of changing Public Comment is offensive.
- People from district 7 and all over the City have concerns about these changes.
- She has done statistical research on Planning Commission meetings and there is no evidence for this change to be granted.

(-) John Bardis - Inner Sunset Action Committee and Coalition for San Francisco Neighborhoods

- The Coalition of San Francisco Neighborhoods voted unanimously to urge the planning Commission to leave public comment where it is. Fifteen minutes is not an unpredictable amount.
- If public comment is ruining the agenda, the Commission should talk to staff and talk to developers.
- If other commissions have Public Comment at the end, that's because their meetings run for a maximum of 2 hours.

(-) Chris Daly - MAC

- After mobilizing several hundred people here--like community members of the Mission, neighbors of Bryant Square Project, and other supporters of the Mission District--testifying for several hours which the Commission then later approved the project +7-0 with no changes to the project and not having heard what they said, makes them wonder if the Commission is really listening.
- They protested the Macromedia project and yet the Commission voted again for the project without even a discussion.
- They feel that they are under attack over and over again.
- The actions by Commissioner Theoharis, after removing Jonathan Yutes from the podium, requires her resignation as appointed Commissioner.

(-) Patricia Vaughey

- Someone who represents people that are homeless and people that are very wealthy can meet in a room and compromise on issues provided you give them the chance to vote and to have their voices heard.
- Having public comment two times during the hearing is a good idea.
- San Francisco has always been known for allowing people to speak.

(-) Andrew Wood - MAC

- No matter what the time Public Comment is, they will be here.
- They will not let the Commission do things within closed doors or in the dark.

(-) Bud Wilson - West of Twin Peaks Area

- Back in the mid-80's, public testimony was at the end of the hearings and later it was moved to the beginning of the hearing -- there must have been a good reason for this.
- If Public Comment is moved to the end, there will be few people exercising their rights, particularly senior people.
- Maybe the Commission should consider having Public Comment two times during the hearing.

(-) Quintin Mecke - South of Market Anti-Displacement

- Even though their organization has the word "anti" in their name, they are pro-community.
- It's ironic that Mr. Heller would say that it would make it more democratic to wait until 8 or 9 p.m. so more people would show up.
- Democracy is not something that would be associated with the Commission.
- Two opportunities to speak would be a good idea.

(-) Lisa Russ - South of Market Anti-Displacement

- They are a group of residents, businesses, artists, and non-profits who are coming together in the South of Market who have come together to create a voice and create community-oriented planning and to fight the displacement that is happening in the community.
- Whatever it takes, they will be hear to speak during public comment.
- She supports the idea of having two public comments.

(-) Judy West

- She is against moving public comment to the end of the agenda.
- She understand the concerns that the Commissioners have.
- To change the way business is conducted, because of certain instances which have

occurred on certain days, is not good.

(-) Joe Butler - Architect

- He is more often here as pro-bono than as a lobbyist for neighbors.
- Public Comment is an effective way to expeditiously bring matters to the attention of the Commission.
- The order of business is currently quite accurate.

(-) Heather Rogers

- Resident of the Mission District and a member of MAC.
- The Planning Department should make things easier for the public to comment and have it two times -- one at 1:30 and one at 5:30 p.m.

(-) Terry Milne - Bernal Heights

- He has been coming to the hearings for about 20 years.
- It is easier for him and his neighbors to leave public comment where it is now.
- He has been educated by hearing people's comments during Public Comment.
- If there is a group that needs to come down, it is easier to schedule a bunch of people at one time like 1:30 p.m.

(-) David Paul Grace

- In a real democracy, everyone has a voice and time for deliberation.
- We can't make complicated decisions without public input.
- He advocates the proposal of having two times.
- He would also like for people to be able to call during the hearings and state their opinions.

(-) Sue Hestor

- She has been attending Planning Commission meetings even before public comment was introduced. Public Comment was a reform measure to open things up for the public.
- She sat during the discussion when the Commission moved Public Comment from the end of the calendar to the beginning of the calendar.
- It's strange to her that all of a sudden there is a rule change.
- It is the responsibility of the chairperson to manage the meeting smoothly.

(+) Alice Barkley

- With the hearings televised, what the opposition has done is play election politics.
- She supports moving public comment to the end of the hearing.
- This Commission has never ignored public comment.

(+) Joe O'Donaghue - Residential Builders

- He is a political groupie.
- Most of the people who have spoken today are political groupies. These groupies are the ones who generally speak during Public Comment.
- We are not talking about limiting the public to speak.
- He would like a specific time to have public comment at the end.

(-) Jim Rodriguez

- He is not a political groupie. This is the first time that he has come to one of the meetings.
- Why are people so confused about having Public Comment at the beginning or the end since the Commission doesn't pay attention anyway?

ACTION: Approved proposed amendment to Article IV, Section 8 of the Planning Commission's Rules and Regulations - Order of Business to move the Public Comment category to the end of Planning Commission hearings.

AYES: Theoharis, Mills, Baltimore, Chinchilla, Salinas, Fay

NAYES: Joe

D. DIRECTOR'S REPORT

7. Director's Announcements.

None

8. Review of Past Week's Events at the Board of Supervisors & Board of Appeals.

BOA

Re: 1552 Polk Street/Blockbuster Video - The Commission voted to take DR. While he was waiting for this case to come up, it came to his attention that the video legislation had passed which requires video stores to acquire a conditional use permit. Therefore, the Board of Appeals did not have jurisdiction. If the owner wants to continue with the project, he will consult the District Attorney and recommend for the owner to apply for a conditional use permit.

Re: 415 Bryant Street - This was an Appeal of a Negative Declaration which the Commission upheld. The board upheld that decision +4-1, which the Board of Appeals deemed appropriate.

9. Briefing on Jobs, Housing and the Use of Industrial Land.

SPEAKER(S):

Calvin Welsh

- He would like a copy of the presentation.

Sue Hestor

- She was listening for the words of office and multimedia and these words were not mentioned by Mr. Green.

- She displayed maps of areas where there are live/works, offices, etc.

Alice Barkley

- Between now and election there should be no effort by staff to redefine dot.coms.

- Interim Controls have a definite time out of state law.

- Proposition L, requires that the Commission finish it's work by June of 2001.

- Look at some of the areas in the City that should be industrial and only that.

- Release some of the areas that have gone through tremendous transition.

- This Commission should take bold steps to make housing available quick since this City cannot wait.

Joe O'Donaghue

- Instead of looking for affordable housing, the term needs to be changed to low-cost housing which can only come by allowing increased densities.

- District elections have defined that they will be the predominant influence in city politics for generations to come.

- Increased densities can only come in the South of Market and the Bay View areas.

John Bardis

- The increase density has been the policy of this City for the past half century.

- This density should have come from the residential areas of the City.

- They would love to have Mr. O'Donaghue build all the residential housing he wishes.

- It's a disgrace what has been done to sites that could have invited housing in this City.

10. Status Report - 1271-79 Lombard Street

- There was a complaint that the owners were not following the conditions of approval.

- All parties involved will come to the department and meet and let us know what the status of this project is.

E. CONSIDERATION OF FINDINGS AND FINAL ACTION - PUBLIC HEARING CLOSED

11. 1999.543DD (WOODS: 558-6315)
338 - 12TH AVENUE, east side between Geary Boulevard and Clement Streets, Lot 33 in Assessor's Block 1443 -- Request for Discretionary Review of BPA No. 9901007S, proposing to add a new fourth floor, front, side, and rear additions to the existing single-unit building at the front of the property only in an RM-1 (Residential, Mixed, Low Density) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary Review and approve building permit application as revised.
Note: On June 8, 2000, following public testimony, the Commission closed public comment and continued the matter to give staff time to review permit history.
Note: On October 5, 2000, the Commission passed a motion of intent to take Discretionary Review and approve as agreed with the Discretionary Review Requestor and Sponsor by a vote of +7 -0.
Note: On October 12, 2000, the Commission passed a vote of +7-0 to keep public comment closed with the exception of testimony regarding the accuracy of new plans.
 (Continued from Regular Meeting of October 12, 2000)

SPEAKER(S):

Steve Williams

- Plans were delivered to his office on Monday afternoon.
- The changes have been drawn and signed off.
- The plans that he has signed off on do reflect the decision of the Planning Commission

Alice Barkley

- The plans do reflect the decision of the Commission

ACTION: Take Discretionary Review and approved with changes agreed to by the sponsor and the DR requestor.

AYES: Theoharis, Mills, Joe, Baltimore, Chinchilla, Salinas, Fay

F. REGULAR CALENDAR

12. JOBS-HOUSING LINKAGE PROGRAM (GREEN: 558-6411)
CONSIDERATION OF INITIATING AMENDMENT OF THE PLANNING CODE AND CONSIDERATION OF BOARD OF SUPERVISORS ORDINANCE NOS. 00276 AND 00277;
 Sections 313 through 313.14, and by adding 313.15, to rename the "OFFICE AFFORDABLE HOUSING PRODUCTION PROGRAM" as the "JOBS-HOUSING LINKAGE PROGRAM," to apply the program to all new and expanded hotel space of at least 25,000 square feet, to all new and expanded entertainment space of at least 50,000 square feet, and to all new and expanded retail space of at least 100,000 square feet.
 Preliminary Recommendation: Initiate

SPEAKER(S):

Calvin Welsh - Council of the Community Housing Organizations

- The report given by the Director is factually incorrect.
- This ordinance is not the ordinance passed in 1999. It has been amended substantially and significantly amended in a matter that would actually reduce the number of affordable units developed under a certain scenario.

Brother Kelly Cullen - Tenderloin Neighborhood Development Corporation

- This is a very important piece of policy and legislation.
- He has the same concerns as the previous speaker. As well as cutting the fee for people

who donate land. Many times people want to donate the money directly to the TNDC instead of going through the Planning Department and the Mayor's Office of Housing.

- Doing deals with the department's own choice of housing developers could cause a lot of problems including people possibly setting up their own housing development corporations to really go around the department.

- This legislation is much needed and hopes to be initiated.

ACTION: **Initiated**

AYES: **Theoharis, Mills, Joe, Baltimore, Chinchilla, Salinas, Fay**

MOTION NO. **16008**

13. 1999.491E (JAROSLAWSKY: 558-5970)
51 - 3RD STREET (THE HEARST GARAGE) - Appeal of a Preliminary Negative Declaration. The property is on Lot 058 of Assessor's Block 3707 and is 33,118 square feet. The proposed project includes the addition of 93,432 square feet onto an existing 408,754 square foot structure in downtown San Francisco, known as the Hearst Parking Garage and currently utilized as retail space on the ground floor and garage use above. The proposal includes the addition of three stories of parking onto the existing structure. The total height of the structure would be approximately 123 feet. The total number of parking spaces in the garage would increase from 801 spaces (existing) to about 1,044 spaces (proposed). The project site is located within a C-3-O (Downtown Commercial Office) District, within the Financial District of the City of San Francisco, where garage uses are conditionally permitted and within the 120-X Height and Bulk District.
 Preliminary Recommendation: Uphold Preliminary Negative Declaration

SPEAKER(S):

(+) **Michael Delehunt - Crosby, Heafey, Roach & May (Legal Counsel for Hearst Corp.)**

- He represents the Hearst Corporation.

- The Hearst Corporation is willing to submit this matter on the staff recommendation and letter they previously provided to the Commission.

ACTION: **Negative Declaration Upheld**

AYES: **Theoharis, Mills, Joe, Baltimore, Salinas, Fay**

EXCUSED: **Chinchilla**

MOTION NO. **16009**

14. 1998.898E (DEUTSCH: 558-5965)
HETCH HETCHY WATER TREATMENT CHLORAMINE CONVERSION PROJECT - Certification of Final Environmental Impact (EIR). The project is the proposed conversion of the disinfectant for the San Francisco Public Utilities Commission (SFPUC) drinking water supply from chlorine to chloramine, to improve reliability of the system to meet water quality requirements of the federal Stage 1 Disinfectant/Disinfection By-Products Rule, promulgated by the U.S. Environmental Protection Agency in 1998. The project would involve construction of chlorine and ammonia feed systems; dechlorination and dechloramination facilities; chemical storage systems; and ancillary roadways and pipelines, mostly at existing SFPUC facilities in four locations: Tesla Portal off of Vernalis Road near Tracy in San Joaquin County; San Antonio Pump Station on Calaveras Road in Sunol Valley, Alameda County; Pulgas Water Temple vicinity on Cañada Road, San Mateo County; and Harry W. Tracy Water Treatment Plant off of Crystal Springs Road in San Mateo County.
Note: The public hearing on the Draft EIR is closed. The public comment period for the Draft EIR ended on July 19, 2000. The Planning Commission does not conduct public review of Final EIRs. Public comments on the certification may be presented

to the Planning Commission during the Public Comment portion of the Commission calendar.

Preliminary Recommendation: Certify Final Environmental Impact Report

SPEAKER(S): None

ACTION: Final Environmental Impact Report Certified

AYES: Theoharis, Mills, Joe, Baltimore, Chinchilla, Salinas

ABSENT: Fay

MOTION NO. 16010

15. 1997.433A (KOMETANI: 558-6478)
22 ALTA STREET, north side between Montgomery and Sansome Streets. Lot 34A in Assessor's Block 106 -- Request for Certificate of Appropriateness authorization, under Article 10 of the Planning Code, to construct a new, one-unit, residential building, two-stories at the front (Alta Street) elevation and five-stories at the rear in the Telegraph Hill Historic District. The subject property is zoned RH-3 (House, Three-Family) District and is in a 40-X Height and Bulk District.
Preliminary Recommendation: Approval
(Continued from Regular Meeting of October 5, 2000)

SPEAKER(S): None

ACTION: Continued Without Hearing to November 16, 2000

AYES: Theoharis, Mills, Joe, Baltimore, Chinchilla, Salinas, Fay

16. 2000.554C (MARTIN: 558-6616)
3999 MISSION STREET, at the northeast corner of Mission Street and Murray Street, Lot 020, Assessor's Block 5802 -- Request for Conditional Use Authorization under Section 710.83 of the Planning Code to install a total of three (3) antennae on the roof of the existing building, with the base transceiver station to be located on the ground, as part of a wireless communication network in an NC-1 (Neighborhood Commercial Cluster) Zoning District and 40-X Height and Bulk Districts.
Preliminary Recommendation: Approve with conditions

SPEAKER(S):

(+) Robert Crebs

- Notices were provided in English, Spanish and Cantonese
- A total of 7 people attended community meetings and their questions and issues were addressed.
- Residents within 300 feet were notified.

ACTION: Approved

AYES: Theoharis, Mills, Joe, Baltimore, Chinchilla, Salinas

ABSENT: Fay

MOTION NO. 16011

G. **SPECIAL DISCRETIONARY REVIEW HEARING**

At Approximately 5:20 P.M. the Planning Commission convened into a Special Discretionary Review (DR) Hearing.

17. 2000.315D (BANALES: 558-6339)
358 SAN CARLOS STREET, Lot 94 in Assessor's Block 3609, west side between 20th and 21st Streets. Staff-initiated Discretionary Review of Building Permit Application No.

200006072064, proposing the merger of a three-family dwelling to a one-family dwelling. The subject property is in a RH-2, (Residential-House, Two-Family) Zoning District and a 50-X Height-Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve project as submitted.

SPEAKER(S):

(+) Tod Carter - Project Sponsor

- He and his wife are owners of the property.
- He only became aware of the proceedings for Discretionary Reviews only one business day before his deadline to submit a response.
- He doesn't know the identity or the concerns of the requestor. He can only speculate that requestor fears that he and his wife are engaging in socially-insensitive speculation in the midst of a housing crisis and requires assurance to the contrary.
- This is not business, this is personal.
- He only wants to set down roots and settle in this house with his family. He and his family intend to make this their permanent home and not sell it.
- With sadness they served eviction notices when they closed escrow, exercising the Ellis Act.
- They plan to restore the building since it's a Victorian. None of the restoration or work done to the house will affect the facade.
- He would like the Commission to approve their project.

ACTION: Take DR and Disapprove Project

AYES: Theoharis, Mills, Joe, Chinchilla, Salinas

NAYES: Baltimore

ABSENT: Fay

18. 2000.959D (WONG: 558-6381)
1420 DeHARO STREET, west side, between 25th and 26th Streets, Lot 034 & 035 in Assessor's Block 4282A -- Request for Discretionary Review of BPA no. 200006142648, proposing a rear extension at the second floor with roof deck at third floor and a new fire escape from the third to second floor for a two-unit building in a RH-2 (Residential House, Two Family) Zoning District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary Review and approve project as submitted.

SPEAKER(S):

(-) Vice Hanson

- He lives on 25th Street. He filed DR because this building is massive and out of character with the neighborhood.
- If this project is going to be "rubber stamped," he would like to have all rules and regulations followed.

(-) John Seaman

- According to the DR analysis summary, 1420 DeHaro is oversized in it's relationship to the buildings around it. The problem with its size relative to the rest of the neighborhood is compounded by its typography.
- He would like to know what variances, easement or special conditions were required in the DR hearing of 1989 that allowed the construction of 1420 DeHaro in the first place, and what bearing that might have on the expansion of this building.

(+) Joe Sun - Sun Architecture

- Prior to this meeting, he attempted several times to contact Mr. Hanson to resolve issues. The only compromise was to not go forward with the project.
- There are a few neighbors who contacted him and he was able to resolve their issues.
- He doesn't believe that the construction would block Mr. Hansen's view .
- He would like the Commission to approve the project.

ACTION: Do not take DR and approved project as submitted.

AMENDED MOTION: Take DR and approve project as submitted, and Issue a Notice of Special Restrictions (NSR).

AYES: Theoharis, Mills, Baltimore, Joe, Salinas

NAYES: Chinchilla

ABSENT: Fay

Adjournment: 5:41 p.m.

THE DRAFT MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, NOVEMBER 16, 2000.

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26/00

SAN FRANCISCO PLANNING COMMISSION

Meeting Minutes

Board of Supervisors Chambers - Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, October 26, 2000

1:30 PM

DOCUMENTS DEPT.

Regular Meeting

DEC 2 9 2000

SAN FRANCISCO
PUBLIC LIBRARY

PRESENT: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis
ABSENT: Mills

THE MEETING WAS CALLED TO ORDER BY PRESIDENT THEOHARIS AT 1:37 P.M.

STAFF IN ATTENDANCE: Gerald G. Green - Director of Planning; Larry Badiner - Zoning Administrator; Isolde Wilson, Hillary Gitelman; Lesley Buford; Bill Wycko; Tina Tam; Dario Jones; Tony Kim; Patricia Gerber - Transcription Secretary; Andrea Green - Acting Commission Secretary

A. ITEMS PROPOSED FOR CONTINUANCE

1. 1999.579E (NISHIMURA: 558-5967)
301 - 1ST STREET, RESIDENTIAL DEVELOPMENT PROJECT - Certification of the Environmental Impact Report (EIR). The proposed project is removal of a 200+-space parking lot, and new construction of a two-tower residential building consisting of 342 dwelling units, 454 residential parking spaces and seven retail employee parking spaces, and 10,300 square feet of retail space on an approximately 38,000-square-foot site on the southeast corner of Folsom Street, Lot 32 in Assessor's Block 3748; within an RC-4 (Residential-Commercial, Combined, High-Density) District, Rincon Hill Special Use District -Residential Subdistrict, and 200-R and 250-R Height and Bulk Districts. One tower, on the north portion of the building, would be 200 feet high and the other tower on the south side of the building would be 250 feet high. Parking would be provided from two levels to five levels below ground on the sloping site with the entrance/exit on First Street and an exit on Grote Place off of Folsom Street, where access also would be provided for one off-street truck loading space.
(Continued from Regular Meeting of October 19, 2000)

NOTE: PUBLIC COMMENT WILL BE PERMITTED ON CERTIFICATION ISSUES ONLY.

(Proposed for Continuance to November 2, 2000)

SPEAKER (s): None
ACTION: Continued as proposed
AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis
ABSENT: Mills

2. 1999.579C (GORDON: 558-6309)
301 - 1ST STREET, at the southeast corner of First and Folsom Streets, Lot 32 in Assessor's Block 3748 -- A proposal to develop the site with up to 342 dwelling units in two buildings (one of approximately 200 feet in height, the other of approximately 250 feet in height), approximately 10,300 square feet of ground floor and second floor retail and professional services space, and 342 to 349 independently accessible parking spaces and 113 tandem spaces. Request per Planning Code Section 304 for Conditional Use Authorization under the Planned Unit Development process to allow: **(1)** a structure over 40 feet in height in an R zoning district per Planning Code Section 253; **(2)** site coverage at ground level exceeding 80% on a sloping site per Planning Code Section 249.1(b)(1)(B); **(3)** separation between towers, above a height of 150 feet, of 80 feet rather than 150 feet, as required by Planning Code Section 270(e), pursuant to Planning Code 271; **(4)** exceptions to bulk limits of the "R" bulk district as stated in Planning Code Section 270 (e), pursuant to Planning Code Section 271; **(5)** parking within 25 feet of the street frontage on the ground floor on a small portion of the site per Planning Code Section 249.1(c)(5)(C); **(6)** a reduction in the loading requirement of Planning Code Section 152 from 2 spaces to 1 space per Planning Code Sections 304; **(7)** a small portion of the common open space to be provided in solaria (the fitness room and activity room) per Planning Code Sections 135(g)(3), 249.1(c)(4) and 304(d)(3); and **(8)** up to 1,000 gross square feet of the commercial space to be a small self-service restaurant as required by Planning Code Sections 304(d)(5) and 710.44. The site is within the RC-4 (Residential Commercial High Density) District and the Rincon Hill Special Use District - Residential Subdistrict. The northern portion of the site is in a 200-R Height and Bulk district; the southern portion of the site is in a 250-R Height and Bulk district.
Preliminary Recommendation: Approval
(Continued from Regular Meeting of October 19, 2000)
(Proposed for Continuance to November 2, 2000)

SPEAKER (s): None
ACTION: Continued as proposed
AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis
ABSENT: Mills

3. 2000.290C (BRESSANUTTI: 575-6892)
370-398 - 10TH STREET, northwest corner of Harrison Street; Lots 11, 12 and 13 in Assessor's Block 3520 - Request for Conditional Use Authorization to construct a four story (plus mezzanines), 50-foot-high, mixed use building with commercial space and off street parking on the ground floor and 30 live/work units on the upper floors, requiring Conditional Use Authorization to allow construction of new live/work units in the Industrial Protection Zone, across the street from the Mixed Use Housing Zone, per the Interim Zoning Controls established by Planning Commission Resolution No. 14861, in an SLR (Service/Light/Industrial/Residential) District and a 50-X height and bulk district.
Preliminary Recommendation: Approve with conditions
(Proposed for Continuance to November 2, 2000)

SPEAKER (s): None

ACTION: Continued as proposed
AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis
ABSENT: Mills

- 4a. 1999.821BDVC (GORDON: 558-6309)
178 TOWNSEND STREET, on the southeast corner of Townsend Street and Clarence Place, Lot 13 in Assessor's Block 3788 -- Request for Conditional Use Authorization to allow up to 49,999 square feet of office space within a building in the SLI (Service/Light-Industrial) Zoning District that is also a Contributory structure to the South End Historic District, pursuant to Planning Code Section 803.5(b). The site is within the SLI (Service/Light Industrial) District, a 50-X Height and Bulk District, the Industrial Protection Zone's Mixed Use Housing Zone, the proposed Ballpark Vicinity Special Use District's South End Service District and is a Contributory building to the South End Historic District.
Preliminary Recommendation: Approval with conditions
(Proposed for Continuance to November 2, 2000)

SPEAKER (s): None
ACTION: Continued as proposed
AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis
ABSENT: Mills

- 4b. 1999.821VCDB (GORDON: 558-6309)
178 TOWNSEND STREET, on the southeast corner of Townsend Street and Clarence Place, Lot 13 in Assessor's Block 3788 -- Request under Planning Code Section 321(b) (4) for authorization to add the approximately 49,002 square feet of office space to the City's Office Development Annual Limit Reserve for Smaller Buildings. The site is within the SLI (Service/Light Industrial) District, a 50-X Height and Bulk District, the Industrial Protection Zone's Mixed Use Housing Zone, the proposed Ballpark Vicinity Special Use District's South End Service District, and is a Contributory building to the South End Historic District.
Preliminary Recommendation: Approval with conditions
(Proposed for Continuance to November 2, 2000)

SPEAKER (s): None
ACTION: Continued as proposed
AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis
ABSENT: Mills

- 4c. 1999.821BVCD (GORDON: 558-6309)
178 TOWNSEND STREET, on the southeast corner of Townsend Street and Clarence Place, Lot 13 in Assessor's Block 3788 -- Staff Initiated Discretionary Review of a project proposing renovation of an existing three-story building from auto repair to office use. Approximately 49,002 square feet of office use is proposed. The proposal would develop a new fourth floor to the existing structure to make the building four-stories and 50-feet tall. The site is within the SLI (Service/Light Industrial) District, a 50-X Height and Bulk District, the Industrial Protection Zone's Mixed Use Housing Zone, the proposed Ballpark Vicinity Special Use District's South End Service District, and is a Contributory building to the South End Historic District.
Preliminary Recommendation: Do not take Discretionary Review
(Proposed for Continuance to November 2, 2000)

SPEAKER (s): None
ACTION: Continued as proposed
AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis
ABSENT: Mills

- 4d. 1999.821BCDV (GORDON: 558-6309)
178 TOWNSEND STREET, on the southeast corner of Townsend Street and Clarence Place, Lot 13 in Assessor's Block 3788. The proposal is renovation of an existing three-story building from auto repair to office use. Approximately 49,002 total gross square feet of office use is proposed, approximately 45,000 square feet of that as occupied floor area. The proposal would develop a new fourth floor to the existing structure to make the building four-stories and 50-feet tall. Request for an off-street parking waiver pursuant to Planning Code Sections 161(m) and 307(g) to reduce the Planning Code required parking of 90 spaces, to 18 legally independently accessible off-street parking spaces, but 35 tandem/valet spaces in total. The site is within the SLI (Service/Light Industrial) District, a 50-X Height and Bulk District, the Industrial Protection Zone's Mixed Use Housing Zone, the proposed Ballpark Vicinity Special Use District's South End Service District, and is a Contributory building to the South End Historic District.
Preliminary Recommendation: Approval with conditions
(Proposed for Continuance to November 2, 2000)

SPEAKER (s): None
ACTION: Continued as proposed
AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis
ABSENT: Mills

5. 2000.052E (JAROSLAWSKY: 558-5970)
Arco Way -Appeal of a Preliminary Negative Declaration. The vacant project site is located on lots 024 through 028, lot 032, lots 037 through 039 and lot 051 located on block 3154 within the Outer Mission District of the City of San Francisco. The proposed project includes the rezoning of the ten legal lots from Public (P) to Residential House-One Family (RH-1) with a 40-X Height and Bulk Designation and the construction of one, single-family structure on each legal lot. Each structure would be approximately 2,000 square feet, contain a two-car garage and be a maximum of 30 feet in height. Nine lots would contain 25 feet of frontage along Arco Way and one lot would be a flag lot. The lots are along the northern side of Arco Way and range from 1,973 square feet to 9,900 square feet and abut the Bay Area Rapid Transit tracks to the north.
Preliminary Recommendation: Uphold Preliminary Negative Declaration
(Proposed for Continuance to November 9, 2000)

SPEAKER (s): None
ACTION: Continued as proposed
AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis
ABSENT: Mills

6. 2000.052EZ (BORDEN: 558-6321)
14, 20, 26, 32, 38, 50, and 56 ARCO WAY and Three Additional Vacant Lots, north side of Arco Way, abutting the Bay Area Rapid Transit tracks; Lots 024, 025, 026, 027, 028, 032, 037, 038, 039, and 051 in Assessor's Block 3154 -- Request to reclassify the subject property from P (Public District) to RH-1(Residential, House, One-Family District) with a 40-X Height and Bulk District designation. The rezoning of these parcels is related to building permit applications on file with the Department to construct ten single-family structures on the ten existing vacant lots. Each single-family dwelling will require separate approval under the building permit application process.
Preliminary Recommendation:

(Proposed for Continuance to November 9, 2000)

SPEAKER (s): None
ACTION: Continued as proposed
AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis
ABSENT: Mills

7. 2000.1018D (MILLER: 558-6344)
1 LA AVANZADA STREET ("Sutro Tower") -- Commission-initiated Discretionary review of Building Permit Application No. 2000-08-18-8285 for installation of a 5'-11" diameter satellite dish antenna on the roof of the existing transmitter building, a transmission line from the antenna into the building, digital audio broadcast equipment in existing transmitter building, and interior partitions in the building, in an RH-1(D) (House, One-Family Detached Dwellings) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve the building permit application with staff modification.

(Proposed for Continuance to November 16, 2000)

SPEAKER (s): None
ACTION: Continued as proposed
AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis
ABSENT: Mills

8. 2000.291CZ (WOODS: 558-6315)
1062 OAK STREET, north side, between Divisadero and Scott Streets, Lot 19 in Assessor's Block 1216 - Request to amend the Planning Code Zoning Map to reclassify a portion of Lot 19 from an RH-3 (Residential, House Districts, Three-Family) Zoning District to an NC-2 (Small-Scale Neighborhood Commercial District) Zoning District. Currently, the northern portion of Lot 19 (trapezoidal-shaped of approximately 113 feet wide by 82 feet deep) is zoned RH-3 and is in a 40-X Height and Bulk District; the southern portion of Lot 19 (a narrow strip of approximately 25 feet wide by 90 feet deep) is zoned NC-2 and is in a 65-A Height and Bulk District. The proposal is to reclassify the RH-3 portion of Lot 19 to NC-2 to allow the expansion of an existing car wash (Touchless Car Wash). The Height and Bulk District of the reclassified portion of Lot 19 would remain 40-X.
Preliminary Recommendation: Adoption of the Draft Resolution for Reclassification.

NOTE: On August 24, 2000, after public testimony, the Commission closed public comment and continued the matter to September 14, 2000 to allow the project sponsor time to meet with neighborhood groups and develop modifications to the project. Public comment will be re-opened to address proposed modifications only.

(Continued from Regular Meeting of October 12, 2000)

(Proposed for Continuance to November 2, 2000)

SPEAKER (s): None
ACTION: Continued as proposed
AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis
ABSENT: Mills

9. 2000.291CZ (WOODS: 558-6315)
444 DIVISADERO STREET AND 1052-62 OAK STREET, northeast corner of Oak and Divisadero Streets, Lots 5, 17, 18 and 19 in Assessor's Block 1216 - Request for Conditional Use Authorization under Sections 186.1, 209.7, 303, 304 and 711.59 of the Planning Code to permit a Planned Unit Development for the expansion of an existing car wash (Touchless Car Wash) in an NC-2 (Small-Scale Neighborhood Commercial District) Zoning District with 65-A and 40-X Height and Bulk Districts.
Preliminary Recommendation: Approval with conditions.

NOTE: On August 24, 2000, after public testimony, the Commission closed public comment and continued the matter to September 14, 2000 to allow the project sponsor time to meet with neighborhood groups and develop modifications to the project. Public comment will be re-opened to address proposed modifications only.
(Continued from Regular Meeting of October 12, 2000)
(Proposed for Continuance to November 2, 2000)

SPEAKER (s): None
ACTION: Continued as proposed
AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis
ABSENT: Mills

B. COMMISSIONERS' QUESTIONS AND MATTERS

10. Commission Matters

None

Theoharis: Staff to research and provide status report on 1652 - 16th Avenue Discretionary Review

C. DIRECTOR'S REPORT

11. Director's Announcements.

None

12. Review of Past Week's Events at the Board of Supervisors & Board of Appeals.

None

13. Status Report - 123-127 Collingwood Street (LYRIC).

Situation improving but still are some concerns regarding littering and loitering immediately adjacent LYRIC facility. In general doing excellent job, needs a little more work but they are really attempting to work with neighborhood.

D. CONSIDERATION OF FINDINGS AND FINAL ACTION

14. 1999.684D (WILSON: 558-6602)

129 RANDALL STREET, south side between Whitney and Chenery Streets, Lot 038 in Assessor's Block 6663 -- Request for Discretionary Review of BPA No. 9911578, proposing to demolish the existing building and construct a new two-unit building in a RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review, approve project.

Prior Action: Public comment was closed at the February 17, 2000 hearing. The Commission continued the item to allow further discussion between the project sponsor and neighbors.

NOTE: PUBLIC COMMENT WILL BE RE-OPENED TO ADDRESS MOST RECENT REVISIONS ONLY.

(Continued from Regular Meeting of September 28, 2000).

Note: On June 15, 2000, the Commission passed the following motions:

1st Motion: Take Discretionary Review with the following changes: 1) set back 8 feet further on the 4th floor; 2) project sponsor to continue to work with staff on architectural detailing of the facade with specific reference to the skylight on the 3rd floor. Vote of +2 -2. Commissioners Antenore and Joe voted no. Commissioners

Theoharis, Martin and Mills were absent.

2nd Motion: Take Discretionary Review with the following changes: 1) remove 4th floor 2) modify the front facade to fit into the character of the neighborhood. Vote +2 -2. Commissioners Chinchilla and Richardson voted no. Commissioners Theoharis, Martin and Mills were absent.

Note: On July 27, 2000, the representative of the project sponsor submitted revised plans. The Commission continued the matter for one week so they, staff, and the Discretionary Review Requestor would have an opportunity to review the new submission.

Note: On August 3, 2000, a motion to take Discretionary Review and remove the 4th floor failed to carry by a vote of +3 -3. The matter was continued to August 17, 2000. Commissioners Mills, Chinchilla and Richardson voted no. Commissioner Salinas was excused.

Note: On August 17, 2000, the Commission passed the following motions:

1st Motion: Take Discretionary Review with the following changes: 1) remove 4th floor; 2) modify the front facade to fit into the character of the neighborhood. Vote of + 3 -3. Commissioners Chinchilla, Mills and Salinas voted no.

2nd Motion: Take Discretionary Review with the following changes: 1) set back 8 feet further on the 4th floor; 2) modify the front facade to fit into the character of the neighborhood. Vote of +3 -3. Commissioners Theoharis, Antenore and Joe voted no.

SPEAKER(s):

(-) Andrea Wurand, Discretionary Review Requestor

- Most recent revisions does not address the main issue, which are the height and bulk of this building.

- Proposed project is a two-family
- Home need to be turned down, opposed to dimensions, modifications have not amounted to much of anything
- It will affect my quality of life
- It is not affordable housing
- 4th floor should be eliminated, this project should be scaled down
- Crowded street, there is a school on the corner
- Asked not to build a parapet around the top, going beyond what the plans showed

(-) Paul Curtis

- Revised plans are showing the current make of the street, and reflect a 4-story, 4,300 square foot bldg.

- In the neighborhood the square footage of each house is about 1500 to 1600 square feet
- This project is going to be larger than any other houses in the neighborhood
- Top floor should be removed
- The accuracy of the new revised plans is questionable
- Most houses in the neighborhood are two story height, it will be out of character

(-) Paul Travis

- Owner does not agree to put a parapet on the building
- Building is two to three feet taller than everything that has been shown in the plans

(+) John O'Reilly, Sponsor

- Revised plans are accurate
- Portrait of bulk is inaccurate, overstated
- There won't be a parapet,
- Building won't be out of scale, it is appropriate for the neighborhood
- Project does not make economic sense without the top floor
- Made substantial changes

(+) Brett Gladstone

- Revisions showed building as stated 5 feet below the height limit, in compliance with some legislation pending before the Board of Supervisors, proposed by Sup. Leno
- Adding as a condition of approval that there will not be a parapet in the building

- Our building is under the lower height required,
- Single family home unit

ACTION: Approved
AYES: Baltimore, Fay, Joe, Salinas, Theoharis
NAYES: Chinchilla
ABSENT: Mills

15. 1999.639D (ARCE: 558-5986)
265 TINGLEY STREET, on the south side of the intersection of Tingley Street and San Jose Avenue, Lot 048 in Assessor's Block 6781 -- Request for Discretionary Review of BPA No. 9505908S, proposing to construct a new single-family house on a vacant lot in a RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: No recommendation at this time.
(Continued from Regular Meeting of July 20, 2000).
Note: On February 3, 2000, following public testimony, the Commission closed the public hearing and continued this matter to 2/17/00 with instructions to staff to explore and address traffic concerns.
The vote was +7 -0.
Note: On October 12, 2000, the Commission passed a vote of +7 -0 to keep public comment closed with the exception of testimony regarding the transportation report and the accuracy of revised plans.
(Continued from Regular Meeting of October 12, 2000)

SPEAKER (s):

(-) Veronica Sanchez

- Driveway is different from other homes in the neighborhood
- Traffic mitigation to our concerns about excess speeding.
- Suggested to the Department of Parking and Traffic to be a one way street, they recommended against that
- It is an unsafe intersection
- DPT coalitions records and they have been 16 collisions

(-) J. Cantou

- Revised plans showed some changes on the structure, including some planting that will take place on San Jose Avenue,
- Opposed to having any vegetation planned on San Jose Avenue
- Further reduction of visibility on San Jose Avenue
- Where construction trucks would be able to park
- Create shading in the adjacent housing
- A lots of issues have not been addressed
- Safety issues that are going to be created once the structure is built, along with the fact it that would block the natural light and ventilation from the adjoining house

(-)Thomas Luchini

- Extremely dangerous intersection, people drive too fast
- His car has been marked about four times on that busy intersection/corner

(-) John Horton

- Side window, putting the proposed light well would block sun light
- Can not put a three story house on a very small piece of property

(-) Valery Storey

- Presented a petition from neighborhood
- Without character in this neighborhood
- Property is very small lot

(-)Bruce Hoffman

-Not for residential, it is a very small lot

-Dangerous traffic intersection

(-) Gene Kaplan

- Historical dangerous intersection

- It would be a death trap with all traffic modifications

(-) Tony Sarcos

- Strongly reject this proposal

(+) Steve Vettel - representative, project sponsor

- Legal buildable lot

- Safer driveway situation compared to other driveways in the City

- 6 months of discussion with Department of Parking and Traffic to see if there is a way to improve the traffic situation

(+) Jonathan Pearlman

- Trees are not necessary

- Size of the house, there are some 2 story houses in the neighborhood- Light and air makes almost impossible to block the sunlight of the adjacent neighbor

- 1100 square feet of living space over the garage level, due to the strange shape of the lot it is kind tricky to get living space on that level

- Added light well

- House generally, try to make it fitted to the neighborhood

- It is different from any other house in the City

ACTION: Do not take Discretionary Review and approve project as proposed

AYES: Baltimore, Fay, Joe, Salinas

NAYES: Chinchilla, Theoharis

ABSENT: Mills

E. REGULAR CALENDAR

16. (GITELMAN: 558-5977)

Planning Commission consideration and recommendation regarding proposed revisions to Chapter 31 of the San Francisco Administrative Code, containing procedures for implementation of the California Environmental Quality Act (CEQA).

Preliminary Recommendation: Recommend Adoption by the Board of Supervisors

SPEAKER (s):

Sue Hestor

- Conflict on the appeal of EIR, the way the process is been drafted

- EIR and project approval are two different tracks a lot time, there are not certified in the same meeting

- Page 18 there is rule regarding timing, where it says " you have to appeal on 20 calendar days after certification of EIR."

- The only way that make sense, CU and EIR have to be appeal to Board of Supervisor, if like they have the same period of appeal

- Appeal process does not make sense

Alice Barkley

- Appeal process for Environmental Impact Report to Board of Supervisors is very simple, there is no reason why a legislation can be drafted to accommodate both ends.

- Appeal period should what is now 7 days

- Board of Supervisors had to do is to consolidate the appeal period with the Conditional Use hearing if it is appeal, if the Conditional Use hearing is not appeal, then the Board of Supervisors, simple dismissed the appeal, because they won't have jurisdiction.

- Language should be clarified, that an appeal of an EIR, to the Board of Supervisors should be only on project where the Board of Supervisors have jurisdiction. There is not reason for them to review it if they don't have jurisdiction.

ACTION: Adopted
AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis
ABSENT: Mills
MOTION No. 16012

(RICH: 558-6345)

17. General Plan Referral for Urban Design aspects of the Third Street Light Rail Project, including, station platforms, street lighting, trackway paving, and other urban design elements.
 Preliminary Recommendation: Finding of conformance with the General Plan.
 (Continued from Regular Meeting of October 12, 2000)

SPEAKER (s): None
ACTION: Continued to 11/9/00
AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis
ABSENT: Mills

18. 1999.377E (BUFORD: 558-5973)

SOUTHERN WATERFRONT LEASING AND DEVELOPMENT: Public hearing on the Draft Environmental Impact Report (EIR). The Port of San Francisco is considering proposals for interim uses, long term uses, and capital improvements that were not included in the Waterfront Land Use Plan EIR analysis (Case No. 94.155E, State Clearinghouse No. 94123007, certified January 9, 1997). All of these proposed uses and future development assumptions, as summarized below, constitute "the project" proposed for analysis in a Supplemental EIR: Coach USA (bus storage and repair) at a Pier 96 location; British Pacific Aggregates (bulk cargo and potential concrete and asphalt batching plant uses) at a Pier 94 location; Bode Gravel/Mission Valley Rock (concrete ready-mix facility and bulk cargo use) proposed for relocation from Mission Bay to Pier 92 and potential new asphalt plant; ISG Resources (import, storage, and transloading of fly ash, slag, and other constituent elements for concrete) proposed at the Pier 90 grain silos; Waste Resources Technologies (construction material recycling) proposed for relocation from Candlestick Point to a warehouse at Pier 70; RMC Lonestar (concrete ready-mix facility, including bulk cargo barge and rail transport), proposed for relocation from Mission Bay to a Pier 80 location; construction of a lift-segment Illinois Street bridge between Piers 80 and 90-92 to allow rail and truck transport between Port facilities on either side of Islais Creek; dredge material handling at Pier 94; cargo shipping contracts (containerized and non-containerized cargo shipping) on Piers 80 and 94-96; development of approximately 40 acres of Pier 90-94 Backlands for mixed light industrial and commercial uses; Pier 70 Maritime Reserve (unspecified general industrial and maritime industrial uses); and Pier 70 Opportunity Area (development of about 16 acres for mixed-use commercial, public access and recreational maritime uses).

Preliminary Recommendation: No Action Required

Note: Written comments will be accepted at the Planning Department's offices until the close of business on November 7, 2000.

SPEAKER (s):
(-) Toby Levine, Co-Chair, Pier 70 Advisory Board

- Have a number of concerns about it
- See benefit adding the proposed changes to the Waterfront
- Pier 70 a very complex area, have some environmental hazards
- EIR needs to be analyzed very careful

(-) Alex Lantsberry

- Pier 70 is a gateway to Hunter's Point Neighborhood
- Existing open space, project of this magnitude, would affect the quality of their life
- Project is near housing the southeast section

- Hunter's Point neighbors have respiratory problems
- 30% of school kids have asthma
- Over 2000 tons of pollution a day
- Improve the status of the gateway, make sure that this thing does not serve as the ugly entrance to the neighborhood
- Eliminate the boats and rail

(-) Juan Barragan

- Southeast of SF take a lot of the burden of the factory in the City
- Trucks constantly driving back and forth thru the community
- A lot of people opposed
- It won't bring any job to the community, majority of neighborhood are low-income

(-) Patrick Rump

- Neighbors of Bay View Hunters Point deserve clean air, open space
- There are about 80 species of birds every year using the site
- Not ecologically ideal

(-) Dana Lanzas

- A lot of school kids in the southeast have been marginalized from open space,
- There should be another way to utilize the site
- Encourage to revisit this proposal
- Minimum environmental impact at Pier 70

(-) Lynn Saxton

- No set controls over the amount of asphalt that they would be producing
- How much pollution is going to be put in the area
- Neighborhood don't have any information
- Mitigation should be adopted, significant impact regarding pollution
- Insufficient information
- Polluting the area from the rest of the City

ACTION:

No action required

AYES:

Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

ABSENT:

Mills

19. 2000.009E (BUFORD 558-5973)

1800 MISSION STREET (STATE ARMORY),- Appeal of Preliminary Negative

Declaration. The project site occupies the northern half of a block bordered by Fourteenth Street to the north, Mission Street to the east, Fifteenth Street to the south, and Julian Street to the west. The proposed project involves the rehabilitation of the existing four-level (plus basement) State Armory building and conversion of the use from vacant to a telecommunications facility. The project would provide approximately 240,000 gsf of space devoted to telecommunication tenants (including co-location companies, web hosting companies, and/or telecommunication switching firms) and parking. The proposed project includes 32 off-street (self-park) parking spaces and a loading area that could accommodate at least two trucks. The site is within a C-M (Heavy Commercial) District and the 50-X and 65-B Height and Bulk Districts and is within the Mission District neighborhood. The building is listed in Appendix A of Article 10 of the Planning Code as City Landmark #108 and is listed on the *National Register of Historic Places*. A variance would be required to provide fewer than the Planning Code-required amount of parking spaces.

Preliminary Recommendation: Uphold Preliminary Negative Declaration

SPEAKER (s):

None

ACTION:

Continued to 11/2/00

AYES:

Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

ABSENT:

Mills

20. 1997.478E (WYCKO: 558-5972)
525 GOLDEN GATE AVENUE/CITY ADMINISTRATIVE BUILDING - Public Hearing on the Draft Environmental Impact Report (EIR). The project involves demolition of an existing, vacant State of California office building and construction of a new building for City offices on City-owned property at the southwest corner of Polk Street and Golden Gate Avenue on Lot 1 of Assessor's Block 766 in the San Francisco Civic Center area. Option A would be a 14-story, 181-foot-tall building with about 255,000 square feet of office space; Option B would be a 12-story, 156-foot-tall building with about 215,000 square feet of office space. Each option would include 100 parking spaces (140 with valet operations) and would seek a Variance from the Planning Code for on-site parking and loading.
Preliminary Recommendation: No Action Required
Note: Written Comments will be accepted at the Planning Department's offices until the close of business on November 7, 2000.

SPEAKER (s):

(-)Michael Levin

- Action A would be too intrusive in the WIC Center
- City deserve to have the finest architecture
- This new building should have the finest possible design, make more like the new State Building if possible

Jim Haas

- Height has been informally suggested, that the shoulder of the State building should be the mark of the height of the building; the 14 story pushes that too much, 13 story alternative should be look at.

ACTION: No Action Required

21. 2000.817B (WONG: 558-6381)
2550 CESAR CHAVEZ STREET, north side, near the intersection of Vermont Street; Lot 016 in Assessor's block 4329 - Request under Planning Code Section 321 for authorization to convert 33,500 gross square feet in the building from industrial use to office use and to create an additional 10,000 gross square feet of office use for a total of 43,500 gross square feet. The subject property falls within a M-1 (Light Industrial) Zoning District and a 50-X/65-J Height and Bulk District. It also lies in the Industrial Protection Zone of the Industrial Land Interim Zoning Controls.
Preliminary Recommendation: No Recommendation

SPEAKER (s):

None

ACTION:

Continued to 11/16/00

AYES:

Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

ABSENT:

Mills

22. 2000.824C (YOUNG: 558-6346)
1351 GRANT AVENUE, west side between Vallejo and Green Streets; Lot 002 in Assessor's Block 0131: -- Consideration of the possible revocation of conditional use or the possible modification or placement of additional conditions per Planning Code Section 303(f) of a prior authorization to allow the establishment of a full-service restaurant and bar, approximately 3,400 square feet in floor area, within the North Beach Neighborhood Commercial District and 40-X Height and Bulk District. The proposal is to consider revocation, modification, or placement of additional conditions on a conditional use

authorization approved on December 17, 1998, for the conversion of a vacant commercial space, the former Ficoni Hardware Store, into a full-service restaurant and bar, per Planning Code Sections 722.41 and 722.42. The proposed full-service restaurant and bar is located on the ground floor level of an existing three-story residential over commercial building. The proposal was approved under Building Permit Application No. 9912999. There have been unresolved complaints from the community in relation to the construction and operation of the facilities and the possible eviction of residential tenants within the building.

Preliminary Recommendation: Planning Commission to schedule a subsequent hearing to consider the revocation, modification, or placement of additional conditions on the conditional use authorized in Motion No. 14785 under Case No. 1998.243C.

(Continued from Regular Meeting of October 12, 2000)

SPEAKER (s): None
ACTION: Continued to 12/7/00
AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis
ABSENT: Mills

23. 2000.467C (TAM: 558-6325)

2362 MARKET STREET, north side of Market Street between Castro Street and 16th Street; Lot 11 in Assessor's Block 3562 - Request for a Conditional Use authorization pursuant to Planning Code Section 721.21 and 721.42, to allow the establishment of a full-service restaurant, approximately 3,200 square feet in size, in the Upper Market Neighborhood Commercial District. The proposal is to establish the Long Life Noodle Company and Jook Joint, providing approximately 87 seats and operating between 11:30 am to 11:00 pm. The proposal will include minor interior and exterior alterations that will not result in expansion of the building envelope.

Preliminary Recommendation: Approval with conditions

(Continued from Regular Meeting of September 28, 2000)

SPEAKER (s):

(+) Hahn Phan - Ruben & Alter, representing project sponsor

- Agreed to conditions of approval regarding validate parking

ACTION: Approval
AYES: Baltimore, Chinchilla, Fay, Joe, Theoharis
NAYES: Salinas
ABSENT: Mills
MOTION No. 16013

F. SPECIAL DISCRETIONARY REVIEW HEARING

At Approximately **4:16 P.M.** the Planning Commission convened into a Special Discretionary Review (DR) Hearing.

24. 2000.884D (PURVIS: 558-6354)

688 POWHATTAN AVENUE, Appeal of a determination of compatibility, pursuant to Planning Code Section 242(e)(6)(B), of Building Permit Application No. 2000/04/04/6293, to construct a 3-story, single-family dwelling at a height of 30 feet and with two off-street parking spaces. The project site is within an RH-1 (Residential, House, One-Family) District, with a 40-X Height and Bulk designation and is within the Bernal Heights Special Use District.

Preliminary Recommendation: Take Discretionary Review and approve project with modifications

(Continued from Regular Meeting of October 5, 2000)

SPEAKER (s): None
ACTION: Continued to 11/9/00
AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis
ABSENT: Mills

25. 2000.773D (YOUNG: 558-6346)
317 RUTLEDGE STREET, south side between Peralta Avenue and Alabama Street, Lot 026 in Assessor's Block 5541, proposing to construct a two-story rear addition, approximately 278 square feet in floor area in an RH-1 (Residential, House, One-Family) District, 40-X Height and Bulk District, and the Bernal Heights Special Use District.
Preliminary Recommendation: Do not take Discretionary Review and approve the building permit application.

SPEAKER (s):

(-) Neil Gibbs

- Majority of homes were built long time ago
- Unit is the lower part - there is no view
- Objections are not to do with view , it is strictly a privacy issue
- Glass wall design peers into our property
- If something like this is built it will set bad precedents
- Reduce the amount of glass
- Equalize the size of windows
- Will increase height of the fence
- Will plant some shrub bering

(+) Katherine Conway

- Reduce the amount of window glass
- Out of character

(+) Nina Menzo - representing Project Sponsor

- Keeping the character of the neighborhood
- Privacy issue rather unfair
- Proposed addition is 278 square feet
- Proposed addition meet Bernal Heights Design Guidelines
- Distance between the proposed addition and the existing house for the DR's requestor is about 61 feet at the rear yard

(+) Peter Strauss, Property Owner

- Good neighbor gesture, by no building all the way up
- Have been through a year and half in meetings

-

ACTION: Do not take DR and approve project
AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis
ABSENT: Mills

26. 2000.409D (JONES: 558-6477)
579 - 41ST AVENUE, between Geary Boulevard and Anza Street, Lot 016 in Assessor's Block 1503 -- Request for Discretionary Review of Building Permit Application No. 9925783 proposing the demolition of an existing two-story single-family dwelling, and Building Permit Application No. 9925782S proposing the construction of a new four-story two-family dwelling in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve the building permit application as submitted

SPEAKER (s):

Irene Kazamiski, DR Requestor

- Project negatively affect her property from all aspects

- Block view from light well
- There will diminution of values for her property
- Safety concern
- Buildings are adjacent both in foundation and adjoining walls
- No plans for fire scape
- Does not oppose neighbor from improving property
- Project will make her living space dark
- Concerned whether this building is planned as a two unit or multi-residential unit with three or more apartments in it

Benjamin Kong - Son of Project Sponsor

- House was built on 1912, no improvement has been done in the last 30 years.
- Existing conditions are bad
- Not seismic work has been done to the structure and the foundation is below grade
- There is fungus and dryrot through out the sewer line, sewer line is crack
- Department of Building Inspection has told us that is qualified for demolition
- New building plans has been submitted and meet all standards, codes and ordinances
- We reviewed our plans concerning adequate light for our neighbors to suit their request

ACTION: Take DR with staff recommendations
AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis
ABSENT: Mills

27. 2000.578D (KIM: 558-6290)
1401 DOUGLASS STREET, southeast corner at Duncan Street, Lot No.020 in Assessor's Block 6605 -- Request for Discretionary Review of Building Permit Application Nos. 200002252837, 200002252844 and 200002252847 for demolition of an existing one-story-over-garage, single-family dwelling. The proposal includes the subdivision of the subject lot into two legal lots and construction of a new single-family dwelling unit on each new parcel. The subject lot is zoned RH-1 (House, One-Family) and 40-X Height and Bulk District.
 Preliminary Recommendation: Take Discretionary Review and approve the project with conditions

SPEAKER (s):

Nancy Polly- Community Manager, Village Square Apartment (will be out of town on 11/9/00)

- Read a letter from Robert F. Schmidt
- Lived in the community for 20 years
- 6 of their view apartments will be affected with this project

ACTION: Continued to 11/9/00
AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis
ABSENT: Mills

28. 2000.029D (M. SNYDER: 575-6891)
2044 BRYANT STREET, west side between 18th and 19th Streets, Lot No. 3 in Assessor's Block 4022 -- Request for Discretionary Review of Building Permit No. 2000/06/28/3939 proposing to construct a 2nd floor in an existing structure and to convert approximately 13,000 of square feet of light industrial use into approximately 14,500 square feet of office use and 17 off-street parking spaces, in an M-1 (Light Industrial) District, a 50-X Height and Bulk District, and an IPZ (Industrial Protection Zone) Buffer. In addition, the project includes providing three additional parking spaces off site.
 Preliminary Recommendation: Do not take discretionary review and approve the project as proposed

SPEAKER (s):

(-) Sue Hestor - DR Requestor

- No plans on file, very little to go on
- There is no notice of 2nd phase of the project
- Page 2 on parking the project Sponsor proposed to building 17 spaces on 1685 Florida which is an unsafe parcel
- Where is the categorical exemption dealing with the entirety of the conversion of this project?
- Where is 1685 Florida Street building going to be built,? What is it size?
- Is the developer doing multiple projects on the same site?
- MEA has to look at the Environmental Analysis
- What is the entirety of this building?
- Staff was aware of the subdivision, creation of a new bldg.
- Nothing on map that indicates it is a new building.

(+) Kirk Miller - Architect

- Regarding the issue of displacement, occupants of the building are looking for other site to continue their business -

(+) David Levy

- CEQA issue, this project is separately categorically exempt
- There will be 17 off street parking

ACTION: Take Discretionary Review with staff recommendations

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

ABSENT: Mills

29. 2000.573D (KIM: 558-6290)
141 JUANITA WAY, east side between Evelyn Way and Del Sur Avenue, Lot No. 028 in Assessor's Block 2958 -- Request for Discretionary Review of Building Permit Application NO. 20000125174S, proposing to construct for a second-story vertical addition. The subject property is an existing one-story-over-garage, single-family dwelling in a RH-1 (House, One-Family, Detached) and 40-X Height and Bulk District.
Preliminary Recommendation: Take Discretionary Review and approve the project with conditions

SPEAKER (s):

(-) Mark Debbitt

- Public has been misinformed
- Vertical addition there are about 16 on the neighborhood.
- Concern regarding sunlight
- Property would be seriously impacted
- Guidelines should be implemented
- This is a unique neighborhood (Miraloma Park)
- Would damage the whole character of the neighborhood

(-) Daniel J. Michalske

- Lived in neighborhood for 19 years
- Project will impact the neighborhood

(-) Sharon McChaslky

- Lived 27 year in neighborhood
- Formally informed of the project two weeks ago by the Commission
- Owner of proposed project have not been truthful about their project
- Oppose project

(-) Elizabeth Collier

- Impact of the proposed addition would block their view
- There are small lots
- Violate the Miraloma Park guidelines

(-) Page Hersey

- Changing the neighborhood character
- Sunlight will be blocked totally
- It is a huge addition

(-) John Treuthick

- Loss of light, view
- Decks in the back yard makes project looks even larger

(-) David Smith

- Sunlight is the most precious thing in the neighborhood
- 15 feet above his property
- Lose his privacy

(+) Debbie McGraff - project sponsor

- Design would affect the character of the neighborhood
- This is a very charming neighborhood
- Wants no confrontation with neighbors
- Needs more space for her growing children
- Not trying to make her project to look smaller than what it is

(+) Donna Warrenton, Project Architect

- Project meets the Miraloma design guidelines
- Square footage of the house there are not limits. What you can build within the set height

- Existing 2nd floor, will make 8 foot ceiling, it won't be as high as you expect

ACTION: Take Discretionary Review and approve project with conditions

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

ABSENT: Mills

G. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

"The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

None

Adjournment: 6:06

THE DRAFT MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, DECEMBER 7, 2000

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2/00

SAN FRANCISCO PLANNING COMMISSION

Meeting Minutes

Board of Supervisors Chambers - Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, November 2, 2000

1:30 PM

Regular Meeting

DOCUMENTS DEPT

FEB 15 2001

SAN FRANCISCO
PUBLIC LIBRARY

PRESENT: Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis
ABSENT: None

THE MEETING WAS CALLED TO ORDER BY PRESIDENT THEOHARIS AT 1:40 P.M.

STAFF IN ATTENDANCE: Gerald G. Green - Director of Planning; Larry Badiner - Zoning Administrator; Leslie Buford; Ricardo Bressanutti; Irene Nishimura; Pedro Arce; Paul Maltzer; Paul Lord; Rick Cooper; Sharon Young; Mary Woods; Jim Miller; Elizabeth Gordon; Dario Jones; Ken Chin; Andrea Wong; Nora Priego - Transcription Secretary; Linda D. Avery - Commission Secretary

A. ITEMS PROPOSED FOR CONTINUANCE

1. 2000.270C (BRESSANUTTI: 575-6892)
535-537 VALENCIA STREET - east side between 16th and 17th Streets; Lot 044 in Assessor's block 3569: Request for Conditional Use authorization to (1) allow continued operation of an existing large (over 1,000 square feet) fast food restaurant, presently d.b.a. "Cable Car Pizza", per Section 726.43 of the Planning Code, and (2) to extend the hours of operation from 2:00 a.m. to 3:00 a.m., per Section 726.27, in the Valencia Street Neighborhood Commercial District and a 50-X Height and Bulk District.
Preliminary Recommendation: None
(Proposed for Continuance to November 9, 2000)

SPEAKER(S): None

ACTION: Continued to November 9, 2000

AYES: Theoharis, Mills, Baltimore, Chinchilla, Fay, Joe Salinas

2. 2000.996T (HERRERA: 558-6316)
HOURS OF OPERATION - Consideration of amendments to the Planning Code Sections 206.3 and 209.8 to prohibit the operation of billiard hall, dance hall, nightclub, and other Amusement Enterprise and Nighttime Entertainment activities between the hours of 2 a.m. to 6 a.m. in the RC-3 and RC-4 Districts, and to require Conditional Use Authorization to operate bars and various eating establishments (Full-Service Restaurant, Large Fast-Food Restaurant, and Small Self Service Restaurant) in RC-3 and RC-4 Districts between the hours of 2 a.m. to 6 a.m.; amending Section 210.3 and 221(f) to require Conditional Use Authorization to operate Amusement Enterprises in C-3-R and C-3-G Districts between the hours of 2 a.m. to 6 a.m.

Preliminary Recommendation: Approve

(Proposed for Continuance to November 9, 2000)

SPEAKER(S): None

ACTION: Continued to November 9, 2000

AYES: Theoharis, Mills, Baltimore, Chinchilla, Fay, Joe Salinas

3. 1999.690E (BUFORD: 558-5973)
3000 THIRD STREET - Assessor's Block 4315, Lots 8 & 13; **Appeal of Preliminary Negative Declaration.** The proposal is to demolish the existing 11,000 square feet building and construct a three-story, 225,000 square feet building with 145 parking spaces. The building would consist of 150,000 square feet of light industrial space on the second and third floors. The ground floor would consist of a cafe that is 3,900 square feet and 13,000 square feet of retail. The majority of the new building would be at a height of 60 feet with the exception of the 10 x 10 parapet and clock tower on the southwest corner of the building, where the highest point of the tower would be approximately 80 feet in height. The vehicular access to the parking lot would be from Cesar Chavez Street and 26th Street. The project would replace an existing two-story vehicle maintenance and office building. The majority of the site was is currently used as equipment storage and parking for buses and vans. The project site is located within the M-2 (Heavy Industrial) zoning district and within the 80-E Height and Bulk district.

(Proposed for Continuance to November 16, 2000)

SPEAKER(S): None

ACTION: Continued to November 16, 2000

AYES: Theoharis, Mills, Baltimore, Chinchilla, Fay, Joe Salinas

4. 2000.299E (T. CHAN: 558-5982)
690 DE HARO STREET - **Appeal of a Preliminary Negative Declaration.** The proposed project would demolish an existing single family house, and construct four two-unit residential buildings in the Potrero Hill neighborhood. The project site is zoned RH-2 (Residential, House -Two Family), and is currently identified as Assessor's Block 4031, Lots 26 and 27. Lot 27 has been proposed for subdivision into three lots.

Preliminary Recommendation: Uphold Negative Declaration

(Proposed for Continuance to December 7, 2000)

SPEAKER(S): None

ACTION: Continued to December 7, 2000

AYES: Theoharis, Mills, Baltimore, Chinchilla, Fay, Joe Salinas

5. 1999.849E (NAVARRETE: 558-5975)
809-821 FOLSOM STREET - 78 RESIDENTIAL UNITS - Appeal of a Negative Declaration.
Assessor's Block 3752 Lots 92, 93, and 94, at 809-821 Folsom Street. The proposal is the new construction of 78 residential units (32 one-bedroom and 46 two-bedroom) in a five-story plus basement, 56-foot tall, approximately 108,100 gross square foot building covering a 28,875 square foot site. The project site is currently occupied by a 58 car public parking lot and 2 two-story concrete buildings totaling approximately 14,600 square feet, which would be demolished. The project would include about 76 parking spaces located in a basement parking garage with entrance and exit both on Folsom Street. The project site is in the South of Market Residential/Service District (SOM RSD) and the 40-X/85-B Height and Bulk District. The site lies within the Mixed-Use Housing District of the Industrial Protection Zone (IPZ).
(Proposed for Continuance to December 14, 2000)

SPEAKER(S): None

ACTION: Continued to December 14, 2000

AYES: Theoharis, Mills, Baltimore, Chinchilla, Fay, Joe Salinas

B. COMMISSIONERS' QUESTIONS AND MATTERS

6. Commission Matters

Commissioner Mills: The Action List states that there was supposed to be a report on teacups. When will this be scheduled?

C. DIRECTOR'S REPORT

7. Director's Announcements.

None

8. Review of Past Week's Events at the Board of Supervisors & Board of Appeals.

BOS - None

BOA -

Re: 541-543 29th Street - The Commission voted to take DR. The Board upheld the Commission's decision.

D. REGULAR CALENDAR

ADDENDUM ITEM:

2000.009E (BUFORD 558-5973)
1800 MISSION STREET (STATE ARMORY)- Appeal of Preliminary Negative Declaration. The project site occupies the northern half of a block bordered by Fourteenth Street to the north, Mission Street to the east, Fifteenth Street to the south, and Julian Street to the west. The proposed project involves the rehabilitation of the existing four-level (plus basement) State Armory building and conversion of the use from vacant to a telecommunications facility. The project would provide approximately 240,000 gsf of space devoted to telecommunication tenants (including co-location companies, web hosting

companies, and/or telecommunication switching firms) and parking. The proposed project includes 32 off-street (self-park) parking spaces and a loading area that could accommodate at least two trucks. The site is within a C-M (Heavy Commercial) District and the 50-X and 65-B Height and Bulk Districts and is within the Mission District neighborhood. The building is listed in Appendix A of Article 10 of the Planning Code as City Landmark #108 and is listed on the *National Register of Historic Places*. A variance would be required to provide fewer than the Planning Code-required amount of parking spaces.

Preliminary Recommendation: Uphold Preliminary Negative Declaration
(Continued from Regular Meeting of October 26, 2000)

SPEAKER(S):

(-) Luis Granados - Mission Economic Development Association

- The intent of the CEQA process is to find out the negative impacts of a particular project. By looking at those impacts the project may be improved.

- Previously, there was a negative declaration that was issued. It was appealed and then there was a new project. There was no real analysis of what other alternatives were less negative.

- The baseline for determining the impacts of the project wasn't done correctly.

- The project is located in the Mission District -- a residential neighborhood that has gone through a lot of land use changes over the last 9 years.

- The study states that there is no potential impacts on land use. That's not true since there are significant impacts from this project. The project maximizes the potential negative impacts because of the 90,000 gallons of hazardous waste that would be located in this facility.

(-) Sue Hestor

- She would like to speak about the 96,000 gallons of diesel fuel which will be brought into this project.

- This project is located across the street from apartment complexes.

- 1875 Mission Street was an apparel factory yet it is being converted to dot.coms.

- Sliding over the issues of growth-inducing impacts is ludicrous.

(-) Heather Rogers

- She is a member of MAC and a member of Redstone Tenants Association

- She supports the appeal.

(-) Eric Quesada - MAC

- MAC, Poder and other organizations are feeling the effects of the so-called developments in the Mission.

(+) Andrew Junius - Law Office of Reuben and Alter - Representing Icon Capitals

- He clarified some aspects of CEQA - CEQA asks to look for substantial evidence that a project will cause a significant impact on the environment.

- The appeal talks about a lot of things but not about significant impacts on the environment.

- The appellant spoke about growth-inducing impacts. This facility/project is for equipment only and not for people. There will only be about 150 people employed here. This project will not cause other businesses to come into the area since the equipment can be accessed from any where in the world.

(+) Roberto Estrada

- He has lived in the area for many years. Although he is affiliated with many organizations in the Mission, he comes to speak as a concerned individual.

- This area is very dilapidated, full of crime, and is an area that needs a dramatic change.

- We have to look at this project in a different point of view. This site has been vacant for over 25 years. It's time that changes be done to develop this project and clean up the

neighborhood.

(+) Richard Reutlinger - Victorian Alliance

- The Alliance wrote a letter a few weeks ago. He read the letter regarding the environmental effects of this project.

(+) John Barbey - Liberty Hill Neighborhood Association

- Not everyone in the neighborhood is in agreement with members of MAC.
 - Everyone in the Mission District is aware that this project has been idle for too many years.
 - This use will be a good one for the armory building.

(+) Carlyle A. Johnston - Alfred Williams Consulting

- Submitted letters in support of the project and did not have any comments.

(+) Mauricio Aviles - Arriba Juntos

- The government of this City has left the Mission District alone for 25 years.
 - The new industries that are coming in will develop the area one way or another.
 - The residents of the Mission will benefit in many ways.
 - This project will develop jobs.

(+) Winchell F. Hayward - California Heritage Council

- He would like the Commission to uphold the negative declaration. The armory building should be maintained.
 - He has lived in the city for over 40 years and doesn't remember that the armory has been used for anything.
 - He would like to leave the marble base boards in the interior hallways of the building.

(+) Larry Burnett

- Has lived in the Mission for about 20 years.
 - He read a letter from the Inner Mission Neighborhood Group in support of the project.

(+) Peter McDevit

- He lives in northwest Bernal Heights. He is not part of any organization but supports the project.

(+) Joe Porcoro - Northwest Bernal Alliance

- His organization supports this project.
 - He believes that this building is a "white elephant."
 - He works for the telephone company and was able to take a tour of the interior of the building.
 - Property owners cannot raise the rents since the area is under rent control.

(+) Jeffrey Livovits

- He would like to know how the appellants feels about the ARCO gasoline station across the street since they are concerned about the fuel on site.
 - Federal regulations have to deal with fuel containers when it comes to diesel generators. Many buildings throughout the city have them.
 - It's about time that the building is paid attention to.

ACTION: Uphold Negative Declaration

AYES: Theoharis, Mills, Baltimore, Chinchilla, Fay, Joe, Salinas

MOTION NO. 16014

9. 2000.290E (BUFORD: 558-5973)
 370-398 10TH STREET - Assessor's Block 3520, Lots 11, 12, & 13; **Appeal of Preliminary Negative Declaration.** The proposed project is the demolition of a furniture showroom and warehouse and construction of 30 live/work units, 30 off-street ground floor parking spaces, and approximately 4,680 square feet of retail space within a new three-story (including two mezzanine levels) structure. The new building would be approximately 50' in height and

would have vehicular access from Harrison Street. The main pedestrian entrance would be located on 10th Street, with a secondary entrance on Harrison Street. The site is within the Planning Commission's adopted Industrial Protection Zone (IPZ) Buffer, where conditional use authorization is required for new live/work or housing development and for industrial building demolition. The project site is located within the SLR (Service/Light Industrial/Residential) zoning district and within the 50-X Height and Bulk district. Recommendation: Uphold Preliminary Negative Declaration.

SPEAKER(S):

(-) Sue Hestor

- It's unfortunate that staff continues to gloss over the loss of industrial businesses in an area that is an IPZ.
- The commission adopted controls about 15 years ago.
- There is a list of displacements that she submitted to the Commissioners.
- There is no environmental analysis and no environmental thinking, yet this is an environmental issue.

(+) Kevin Huye - Reuben and Alter representing Fred Wilman, Project Sponsor

- Fred Wilman has operated a furniture store for about 20 years now. Mr. Wilman would like to retire and redevelop the site. He is counting on this redevelopment project to finance his retirement.
- There is no substantial evidence of significant affects on the environment in the report.
- The appellant is concerned mostly about larger policy related issues and CEQA is not concerned about policy related issues.

(-) Speaker did not state name

- Each project which involves developments of loft housing is not working for the city. People are suffering because there aren't enough affordable housing development.

ACTION: Negative Declaration Upheld

AYES: Theoharis, Mills, Chinchilla, Fay, Joe Salinas

ABSENT: Baltimore

MOTION NO. 16015

10. 2000.290C (BRESSANUTTI: 575-6892)
370-398 - 10TH STREET, northwest corner of Harrison Street; Lots 11, 12 and 13 in Assessor's Block 3520 - Request for Conditional Use Authorization to construct a four story (plus mezzanines), 50-foot-high, mixed use building with commercial space and off street parking on the ground floor and 30 live/work units on the upper floors, requiring Conditional Use Authorization to allow construction of new live/work units in the Industrial Protection Zone, Buffer, across the street from the Mixed Use Housing Zone, per the Interim Zoning Controls established by Planning Commission Resolution No. 14861, in an SLR (Service/Light/Industrial/Residential) District and a 50-X height and bulk district.
 Preliminary Recommendation: Approve with conditions
 (Continued from Regular Meeting of October 26, 2000)

SPEAKER(S):

(+) Kevin Huey - Reuben and Alter

- The project sponsor looked at various sites for the purpose of his project.
- The building currently standing doesn't even have heat. It's just like a warehouse so the building will be demolished.
- The proposed project is desirable and compatible with the other uses and buildings in the

area.

(+) Toby Levy - Project Architect

- In this project, they have actually added signage bands.
- The spaces in these buildings would really be identified as live and work.
- Towards the north there is a print shop.
- Most of the ground floor has been designed for commercial.

(+) Jim Meko

- He owns the property to the north of the proposed site.
- This is the second time that he has received Ms. Hestor's unsolicited assistance on opposing a project that he is here to speak in favor of.
- This project complies with the interim controls, it voluntarily includes affordable housing.
- This developer has played by the rules.
- He recommends that the Commission approve this project.

(-) Sue Hestor

- Once uses are changed, they are permanently changed.
- These uses have all been changed.
- Affordable housing is required in various lots.
- There is nothing for families.

(-) John Elberling

- There is a key question: "why does the Commission continue to fail to apply it's policy of affordable housing?"
- This question can be answered today, by rejecting this project.
- The Commission needs to come to the South of Market area and face the neighbors.

(-) Anastasia Yovanopolous

- She is a tenant.
- The BOS did approve an ordinance to preserve single-occupancy housing.

(-) Joan Holding - Commission for Arts, Jobs and Housing

- She is not surprised to hear developers make any argument. Yet she is still amazed to hear staff use the existence of live/works units in an industrial neighborhood as an argument as to why it's ok to approve more. She would expect just the opposite.

ACTION: Approved as amended: Sponsor to continue to work with staff on design and material.

AYES: Theoharis, Mills, Baltimore, Chinchilla, Fay, Salinas

NAYES: Joe

MOTION NO. 16016

- 11a. 1999.579E (NISHIMURA: 558-5967)
301 - 1ST STREET, RESIDENTIAL DEVELOPMENT PROJECT - Certification of the Environmental Impact Report (EIR). The proposed project is removal of a 200+-space parking lot, and new construction of a two-tower residential building consisting of 342 dwelling units, 454 residential parking spaces and seven retail employee parking spaces, and 10,300 square feet of retail space on an approximately 38,000-square-foot site on the southeast corner of Folsom Street, Lot 32 in Assessor's Block 3748; within an RC-4 (Residential-Commercial, Combined, High-Density) District, Rincon Hill Special Use District -Residential Subdistrict, and 200-R and 250-R Height and Bulk Districts. One tower, on the north portion of the building, would be 200 feet high and the other tower on the south side of the building would be 250 feet high. Parking would be provided from two levels to five levels below ground on the sloping site with the entrance/exit on First Street and an exit on Grote Place off of Folsom Street, where access also would be provided for one off-street truck

loading space.

(Continued from Regular Meeting of October 26, 2000)

NOTE: PUBLIC COMMENT PERIOD ON THE DRAFT EIR ENDED ON AUGUST 29, 2000. PUBLIC COMMENT ON THE EIR CERTIFICATION ONLY MAY BE PRESENTED.

SPEAKER(S): None

ACTION: Environmental Impact Report Certified

AYES: Theoharis, Mills, Baltimore, Chinchilla, Fay, Joe, Salinas

MOTION NO. 16017

- 11b. 1999.579C (GORDON: 558-6309)
301 - 1ST STREET - at the southeast corner of First and Folsom Streets, Lot 32 in Assessor's Block 3748 -- A proposal to develop the site with up to 342 dwelling units in two buildings (one of approximately 200 feet in height, the other of approximately 250 feet in height), approximately 10,300 square feet of ground floor and second floor retail and professional services space, and 342 to 349 independently accessible parking spaces and 113 tandem spaces. Request per Planning Code Section 304 for Conditional Use Authorization under the Planned Unit Development process to allow: (1) a structure over 40 feet in height in an R zoning district per Planning Code Section 253; (2) site coverage at ground level exceeding 80% on a sloping site per Planning Code Section 249.1(b)(1)(B); (3) separation between towers, above a height of 150 feet, of 80 feet rather than 150 feet, as required by Planning Code Section 270(e), pursuant to Planning Code 271; (4) exceptions to bulk limits of the "R" bulk district as stated in Planning Code Section 270 (e), pursuant to Planning Code Section 271; (5) parking within 25 feet of the street frontage on the ground floor on a small portion of the site per Planning Code Section 249.1(c)(5)(C); (6) a reduction in the loading requirement of Planning Code Section 152 from 2 spaces to 1 space per Planning Code Sections 304; (7) a small portion of the common open space to be provided in solarium (the fitness room and activity room) per Planning Code Sections 135(g)(3), 249.1(c)(4) and 304(d)(3); and (8) up to 1,000 gross square feet of the commercial space to be a small self-service restaurant as required by Planning Code Sections 304(d)(5) and 710.44. The site is within the RC-4 (Residential Commercial High Density) District and the Rincon Hill Special Use District - Residential Subdistrict. The northern portion of the site is in a 200-R Height and Bulk district; the southern portion of the site is in a 250-R Height and Bulk district.

Preliminary Recommendation: Approval

(Continued from Regular Meeting of October 26, 2000)

SPEAKER(S):

(+) Steve Vettel - Morrison and Forrester

- This project is entirely consistent and implements many policies of the general plan. In particular the Rincon Hill plan and the Rincon Special Use District.

- This is the largest project to come forward in the Rincon Hill area.

- There will be no displacements.

(+) Clark Manus - Heller-Manus

- This project will be good for the area.

- He gave a brief description of how the project will look.

- The project will provide views in the east-west direction and a common pavilion in the middle.

(+) Jeffrey Leibovitz

- He is a property owner near the port.
- He thinks this is a wonderful project in an area that is underutilized.
- It's about time that housing catch up with the production of jobs in the City.
- One of the things that this neighborhood is really lacking is a grocery store.

(+) Brad Paul

- He was here for another item but he just wanted to thank the developer of this project for providing this City what it really needs.

(-) Edward Weiner

- He is a resident of the area.
- He has submitted written comments which state that the opposition to this project is not because it will block his view.
- The issue that he raised in his written comment is that the project is completely out of scale of the Rincon Hill area.
- The important thing here is the scale of the building and the design is very unattractive.

(-) Anastasia Yovanopoulos

- Although she wants housing, her reservation if this 27-story building is earthquake safe and if there will be any more similar developments what are they going to fall on?

ACTION: Approved with Amendments

AYES: Theoharis, Mills, Baltimore, Chinchilla, Fay, Joe, Salinas

MOTION NO. 16018

12. 2000.1063R (ARCE: 558-6332)
SITE "G" OF THE RINCON POINT- SOUTH BEACH REDEVELOPMENT PROJECT AREA
(200 BRANNAN STREET AND NO.1 FEDERAL STREET) - On the west side of Delancey Street (formerly First Street), between Federal and Brannan Streets, Lots 18 and 24 in Assessor's Block 3774. -- Request for an Amendment of the Rincon Hill-South Beach Design for Development Document to increase the off-street parking requirement on Site G of the Rincon Point-South Beach Redevelopment Project Area from a ratio of one off street parking space per residential unit, to 1.5 off-street parking spaces per residential unit.
 Preliminary Recommendation: Approval

SPEAKER(S):

(+) Amy Netches - Senior Project Manager - Redevelopment Agency

- These parcels were aggregated by the agency many years ago with the intention of creating one, large integrated residential project.
- Out of 238 units, there will be 51 affordable condominium units as well as creating and preserving storage space for non-profit organizations.
- The project which was started in 1981 has been a very successful project.
- Together the agency, private development community, and non-profits have built over 2,000 housing units approximately 1/3 affordable units, commercial development, and a wonderful waterfront.
- Because of the growth of this area, parking has become quite difficult.
- This change to the design of the development to allow this inclusion of parking is good for the neighborhood.

(+) Jeffrey Leibovitz

- He is speaking on behalf of Richard Dickerson who is a member of the Rincon Point South Beach CAC, who had to leave, as well as the 29 members of the same organization.
- The developer proposed building more parking and he and his organization are in agreement with this.
- The ballpark is not busy 6 months out of the year, it is busy all year.

- He fully supports this additional parking for the project.

ACTION: **Approved**

AYES: **Theoharis, Baltimore, Chinchilla, Fay, Joe, Salinas**

NAYES: **Mills**

MOTION NO. **16019**

13a. 1999.346TZ (MALTZER: 558-6391)

INTERIM ZONING CONTROLS - INDUSTRIAL PROTECTION ZONES AND MIXED USE

HOUSING ZONES - Consideration of extension for nine (9) months of Interim Zoning Controls which establish Industrial Protection Zones and Mixed Use Housing Zones Within Industrially Zoned Land. The interim zoning controls establish an industrial protection zone where new residential and live/work uses are not permitted and demolition of industrial buildings requires a conditional use authorization; a mixed use housing zone where residential and live/work uses are encouraged; and buffer zones where residential and live/work uses require conditional use authorization. The interim zoning controls apply to all lots zoned M-1, M-2, C-M, RSD, SLR, SLI, SPD, SSO in the area generally bounded by Market Street from The Embarcadero to Valencia Street, South to Twenty-Fourth Street, East to Highway 101, South to Highway 280 and South along Mission Street to Geneva Avenue, and then East to the County Line and the Eastern Shoreline, exclusive of lots under the jurisdiction of the San Francisco Port, and lots in the Mission Bay North and Mission Bay South Redevelopment Project Areas, the Hunters Point Shipyard Redevelopment Project Area, the Rincon Point/South Beach Redevelopment Project Area and the Transbay Survey Area. The interim zoning controls would be extended for a period of nine (9) months, from November 5, 2000 to August 5, 2001.

Preliminary Recommendation: Adopt Resolution extending Interim Zoning Controls

SPEAKERS:

(+) Jill Simpson - Maritime Marketing Manager of the Port of San Francisco

- A recent economic impact study done by the port of San Francisco showed that for the fiscal year ending 1999, the ship repair and other industries alone contributed 1,438 direct jobs as well as 1,600 indirect jobs.

- The maritime industries and cargo industries are growing. Although a lot of business was lost to the Port of Oakland, the Port of San Francisco refocused their marketing efforts to attract the smaller and mid-sized shipping businesses. The port has been very successful in attracting these businesses to the Port.

(+) Jim Wilshire

- He is co-chairman of the Maritime/Commerce Committee just formed by the Port of San Francisco.

- Most of the members are involved in industries that require access to their facilities by water.

- The Committee understands the needs of accommodating the various people and the housing needs of the area, they also understand the need for the dot.coms.

- He would appreciate from the Commission consideration to extend the 9-month extension on the IPZ.

(+) Mark Francis - NBC Transportation

- NBC Transportation is a support group to the steamship lines calling on the Port of San Francisco.

- He urges the Commission to support the extension of the IPZ for the benefit of future commerce in San Francisco.

(+) Roger Peters - San Francisco resident

- He has worked with the Port of San Francisco for 15 years. Now he is an independent consultant specializing in industrial waterfront development.
- The current industrial zone preservation legislation provides protection for this essential industry and others. The current set of IPZs should be extended.
- Please continue to protect local industries through the extension of the IPZs. It will continue to keep San Francisco a diversified City in employment, economics and opportunity.

(+) Ron Dean - Owns and Operates a Storage Facility

- When he negotiates his lease, he wants to be sure he will stay in a place for a certain amount of time. His facility has over 10,000 gallons of ammonia refrigeration. Housing near his facility could be very dangerous.

- 80% of his industry is related to the Port of San Francisco

(+) Jeffrey Liebovitz - South Park Improvement Association

- He supports the 9-month extension of the IPZ because he believes it's critical.
- Live/work lofts are being used as commercial uses.
- Something is wrong when housing is being used as commercial under the Prop M caps.
- Items are coming up in the ballots, that's because people are not being responsible.

(+) Claude Jacques - Port of San Francisco - Foreign Trade Zone

- In the last 3 years that they have operated the trade zone they have grown 500%.
- They are using the Port of San Francisco and marketing to bring commerce back.
- The Port of San Francisco has an advantage over other ports. This port creates jobs.

(+) Richard Meade - ILWU Local 10

- The port is looking at ways to increase maritime use.
- The protection is needed in this area.
- Please see to it that blue-collar workers and longshoremen are protected in this City.

(+) Marina V. Secchitano - Inland Boatmen's Union - ILWU Local 10

- Please consider that commerce is essential to the Port of San Francisco.
- These buffer zones are essential to this area.

(+) David Gavrich - President of LB Railco

- There is a working rail yard. Everyday a freight train is brought in with cargo. This symbolizes good paying jobs.
- These jobs afford for people to continue living in San Francisco.

(+) Henry Graham - Longshoreman

- He stresses the importance of extending the IPZ (industrial projection zone).
- They have active members that are employed at port cargo terminals and marine terminal warehouses. They are asking that the Commission extend the IPZ to 9 months.

(+) Bill Poland - Bay West Group

- He is located several blocks from here. For over 20 years, he has been involved in obtaining approvals and further developing the area into what is internationally renowned as the design district.

- There are about several thousand visitors to this area.
- He strongly supports the work that the Department is doing. He believes the Director of the Department is doing the right thing by extending the IPZ.

(+) Oscar Grande - MAC

- Today is a step toward achieving the goals of the community and developing a process for community-driven planning.
- They did a community-based research and in a period of one month, they defined the problem, framed analysis, collected the data and produced a report which is for community and by community.

(+) John Wetzel - MAC

- Working class residents of San Francisco face an affordability crisis on two dimensions.

People are struggling to live here as well as employers.

- The northeast Mission industrial zone has been an important jobs-base for the Mission community.

(+) Don Shoemaker

- They estimate \$22.6 million in lost housing and childcare fees alone.
- He applauds the fact of the extension of the IPZ.
- Commission should consider the idea to ban office south of Cesar Chavez.

(+) Erick Quesada - MAC

- After the election, regardless of what happens, large sections of the community would like to come together in a good faith effort and do real planning.

(Neutral) John de Castro - Potrero Hill

- He is glad that the IPZ has helped some areas but it certainly hasn't helped Potrero Hill or the Mission District.

- IPZ has not prevented the displacement of neighborhood distribution and retail in his neighborhood.

- There is extensive conversion of live/work lofts to office space.

- Why is the Commission not taking care of the people who need 2 and 3 bedroom units.

(+) Brad Paul - Coalition for Jobs, Arts and Housing

- Zoning Options for Industrial Land is a report produced by the Planning Department and it's one of the best reports the department has done in the last 5 years.

- This report started out trying to protect about 750 to 1,000 acres of industrial land left in the City out of 15,000 acres.

- Why would you try to protect industrial from housing?

- In good financial times if you allow office, residential and industrial, what you get is lots of office, maybe a little residential in the form of live/work that's actually used as residential and no industrial. If you just ban office, what you get is lots of high-end residential and no industrial.

- Therefore, you have to ban office and residential if you want to project industrial. This was true then and is true now.

(Neutral) Dick Millet - Potrero Boosters Neighborhood Association

- He doesn't know whether to support the extension of the IPZ, maybe it would be better to go back just to the straight industrial.

- There is a resolution from the department that states "discourage, discourage, discourage in the IPZ".

(+) Joe Cassidy - Residential Builders

- He has heard a lot of talk about office space and where it is being built in the Mission.

- Office space needs to be built downtown.

- There is such demand out there for office space. Proposition M needs to be revisited.

- He is in favor of IPZ and they will work with the department to preserve these industrial protection zones especially along the Port and along Army Street.

(+) Alice Barkley

- About 2 weeks ago she came to the Commission and she urged the department to make sure that there are true industrial zones in this City.

- This item is extension of industrial protection zones. All the previous speakers talk about the next item.

- There is no new application for live/work in IPZs. They have only come before the Commission in mixed use housing districts.

(+) Joe O'Donahue - Residential Builders

- It was interesting to hear the ILWU and the Port workers to speak about this item.

- His organization has joined with the ILWU in asking for an extension of the industrial

use.

- There are people in the City which the Commission will never please.
- Of the 3,000 live/work loft buildings which his members built, there were no evictions.

(+) Sue Hestor

- Interim controls are supposed to be followed by permanent controls.
- The Commission has allowed 1,520 artists' live/work units in the Mission because that's all that is allowed. In South of Market, 1,600 units. The number of affordable units is zero.

ACTION: Resolution Adopted. Controls are extended.

AYES: Theoharis, Mills, Baltimore, Chinchilla, Fay, Joe, Salinas

RESOLUTION NO.16020

13b.

(MALTZER: 558-6391)

ADOPTION OF NEW POLICIES REGARDING OFFICE USE AND CONVERSION OF LIVE/WORK (LOFT HOUSING) WITHIN INTERIM INDUSTRIAL PROTECTION ZONES AND MIXED USE HOUSING ZONES - Consideration of adopting new policies to discourage office development and to further discourage the conversion of live/work to office within the Interim Controls boundary area. These new policies are to supplement existing policies previously adopted August 5, 1999 (CPC Res. 14861). Preliminary Recommendation: Adopt Resolution creating new Policies within Interim Zones

SPEAKER(S): See speakers after item 13b.

ACTION: Without Hearing - Continued to November 9, 2000

14.

2000.1007T

(LORD: 558-6311)

LIVE-WORK TO LOFT HOUSING AMENDMENT - Consideration of amendments to Part II, Chapter II, of the San Francisco Municipal Code (Planning Code) by amending Sections 102.7 and 102.13 to redefining "live/work" units as "loft housing" and classifying them as residential uses; repealing Section 233 regarding live/work; adding Section 232 to establish requirements for loft housing that would subject it to existing live/work controls except that there would be no restriction on the nature of work which could be preformed in the unit so long as the use is permitted in the SSO (Service/Secondary Office) Zoning District and no requirement that the occupant(s) work in the unit, would require loft housing to comply with inclusionary housing policies, would establish and in-lieu payment for affordable housing requirements in the 40/85 foot height district contained wholly within the south of market Residential Service District (RSD), would require loft housing in residential areas to comply with all requirements for residential uses including the residential design guidelines, would require loft housing constructed in areas not zoned residential to comply with all requirements for residential uses except for height, front setback and open space requirements, would prohibit existing live/work units from being used or converted to office space, and establishes minimum dwelling unit air and light exposure standard; states that this ordinance supersedes any inconsistent planning commission policies.

Preliminary Recommendation: Adopt the draft Ordinance recommending approval to the San Francisco Board of Supervisors.

SPEAKER(S):

(-) Mr. Schumacker

- When the Katz legislation was drafted it did not allow an opportunity for conditional use

authorization that would allow a conversion from live/work to office.

- Somehow in the version of the legislation that appears before the Commission that conditional use authorization is now available. There is no circumstance under which live/work should be allowed to convert to office. It's against the whole point of the entire live/work concept.

(-) Jeffrey Leivobitz

- The live/work lofts are being converted into office as well. The Commission needs to put caps on the size of these developments.
- Sometimes it's better to let the market place dictate the uses.
- Maybe it's better to allow the developer or the owner to have the choice if the market place demands office, under the caps; if it demands residential then build residential under these caps.

(-) Alice Barkley

- She supports staff recommendation to continue this item.
- This Commission should not adopt a piece of legislation with policy in it that is inconsistent with what the department's policy is.

(-) Sue Hestor

- She found that this legislation "gave with one hand and took away with the other."
- The issue of live/work abiding residential sites which has been a huge problem with the people in Potrero Hill and the Mission.
- There is no substance in the Katz Legislation.
- The rule across the board should be it's conditional use or whatever the standard from the City Attorney.

(-) Joe O'Donahue

- He supports staff request to continue this item.
- For years people heard about affordable housing yet affordable housing doesn't exist.
- Of all the affordable housing which was built, not one African-American qualified.

ACTION: Continued to November 16, 2000. Public Hearing will remain open.

AYES: Theoharis, Mills, Baltimore, Chinchilla, Fay, Joe, Salinas

15. 1999.795E (COOPER: 558-5974)

KING-TOWNSEND BUILDING AND COMMUNITY GARAGE - PUBLIC HEARING ON THE DRAFT ENVIRONMENTAL IMPACT REPORT (EIR). The proposed project would be the construction of a mixed-use building with parking, retail, office and live/work spaces at 175-179 and 183 Townsend Street (Assessor's Block 3794, Lots 4 and 7). The project site is an approximately 42,969 square-foot site fronting on both King and Townsend Streets between Second and Third Streets in the South of Market neighborhood. The project would contain a total of 657 parking spaces, approximately 29,275 square feet of retail uses in a ground floor podium, approximately 46,775 square feet of office uses across six upper floors, plus a ground floor lobby, and approximately 55 live/work spaces across seven upper floors. The building would vary in height between seven and ten stories, and between 90 and 110 feet. A 17-space surface parking lot and two connected industrial warehouse buildings, containing a retail/wholesale electrical supply store and a nightclub would be demolished.

Preliminary Recommendation: No Action Required

Note: Written comments will be accepted at the Planning Department's offices until the close of business on November 7, 2000.

SPEAKER(S):

(+) Jeffrey Libovitz

- He supports the project.

(+) Sue Hestor

- There are a lot of garages going up around the ballpark area. There should be a good map pointing out where these garages are located.
- She tracked permits on projects pending.

ACTION: No Action Required

16. 2000.530C (YOUNG: 558-6346)
1500 TAYLOR STREET, Northeast corner of Taylor Street and Pacific Avenue; Lot 20 in Assessor's Block 158: Request for Conditional Use Authorization under Sections 253 and 295 of the Planning Code, to allow the construction of a residential building exceeding 40 feet in height within the RC-3 (Residential-Commercial Combined, Medium Density) District, Garment Shop Special Use District, and 65-A Height and Bulk District. The proposal is the demolition of a 1-story commercial building and the construction of a 4-story over garage, 50-foot high residential building containing three dwelling units and five off-street parking spaces.
Preliminary Recommendation: Approval with conditions

SPEAKER(S):

(+) Hahn Phan - Reuben and Alter

- There were concerns expressed in letters and calls, regarding views and heights.
- There is no legal right to preserve views.
- This is consistent with the General Plan's residential element.
- This building is not tall in comparison to buildings around the neighborhood.

(+) Gabriel Ng - Project Architect

- He studied the site and because of the fact that there is retail the project sponsor decided to add parking spaces.
- He is willing to take out 2 parking spaces if the Commission desires.
- He talked to one neighbor and she was very happy with the design. After she reviewed the plan she was very happy with the project.

(-) Michael Stumpt

- He has been a resident of this area for about 30 years.
- His concern is that there is zoning that limits this building's height.
- Affordable housing at a penthouse on Russian Hill will change the effects and nature of the area.
- This project will throw a shadow.
- The character of this neighborhood is such that the height should be limited.

(-) Aina Stunz

- She lives and has lived on the 1400 block of Taylor for 35 years.
- She took an inventory of the buildings in the area. Specifically to find out the height and stories of these buildings.

(+) Glen Kurner

- He lives in the neighborhood.
- He believes that his project should be limited in height.
- He asks that the Commission limit the 40 foot height limit so the proposed building will be compatible and a friendly addition to the neighborhood and not impose itself on them.

ACTION: Approve with revised condition to limit parking to three spaces and explore the possibility of alternate uses.

AYES: Theoharis, Mills, Chinchilla, Fay, Salinas

NAYES: Baltimore, Joe

RESOLUTION NO.16021

17. 2000.291CZ (WOODS: 558-6315)
1062 OAK STREET, north side, between Divisadero and Scott Streets, Lot 19 in Assessor's Block 1216 - Request to amend the Planning Code Zoning Map to reclassify a portion of Lot 19 from an RH-3 (Residential, House Districts, Three-Family) Zoning District to an NC-2 (Small-Scale Neighborhood Commercial District) Zoning District. Currently, the northern portion of Lot 19 (trapezoidal-shaped of approximately 113 feet wide by 82 feet deep) is zoned RH-3 and is in a 40-X Height and Bulk District; the southern portion of Lot 19 (a narrow strip of approximately 25 feet wide by 90 feet deep) is zoned NC-2 and is in a 65-A Height and Bulk District. The proposal is to reclassify the RH-3 portion of Lot 19 to NC-2 to allow the expansion of an existing car wash (Touchless Car Wash). The Height and Bulk District of the reclassified portion of Lot 19 would remain 40-X.

Preliminary Recommendation: Adoption of the Draft Resolution for Reclassification.

NOTE: On August 24, 2000, after public testimony, the Commission closed public comment and continued the matter to September 14, 2000 to allow the project sponsor time to meet with neighborhood groups and develop modifications to the project. Public comment will be re-opened to address proposed modifications only.

(Continued from Regular Meeting of October 26, 2000)

SPEAKER(S): None

ACTION: Without Hearing. Continued to November 16, 2000

AYES: Theoharis, Mills, Baltimore, Chinchilla, Fay, Joe, Salinas

18. 2000.291CZ (WOODS: 558-6315)
444 DIVISADERO STREET AND 1052-62 OAK STREET, northeast corner of Oak and Divisadero Streets, Lots 5, 17, 18 and 19 in Assessor's Block 1216 - Request for Conditional Use Authorization under Sections 186.1, 209.7, 303, 304 and 711.59 of the Planning Code to permit a Planned Unit Development for the expansion of an existing car wash (Touchless Car Wash) in an NC-2 (Small-Scale Neighborhood Commercial District) Zoning District with 65-A and 40-X Height and Bulk Districts.

Preliminary Recommendation: Approval with conditions.

NOTE: On August 24, 2000, after public testimony, the Commission closed public comment and continued the matter to September 14, 2000 to allow the project sponsor time to meet with neighborhood groups and develop modifications to the project. Public comment will be re-opened to address proposed modifications only.

(Continued from Regular Meeting of October 26, 2000)

SPEAKER(S): None

ACTION: Without Hearing. Continued to November 16, 2000

AYES: Theoharis, Mills, Baltimore, Chinchilla, Fay, Joe, Salinas

- 19a. 2000.987BCX (MILLER: 558-6344)
530-32 FOLSOM STREET (also known as 41 Clementina Street) - northeast corner at Ecker Street, between First and Second Streets, Lot 17 in Assessor's Block 3736
--Request for Determination of Compliance pursuant to Section 309 with respect to a

proposal to convert an existing building currently being remodeled/expanded for live/work to office use. There would be no addition of gross floor area. Parking would be reconfigured to provide 19 independently-accessible spaces and one tandem space on the ground level, accessed from Clementina Street. The project is within a C-3-S (Downtown Support) District and 200-S Height and Bulk District.
Preliminary Recommendation: Approval

SPEAKER(S):

(+) Steve Atkinson - Baker and McKenzie

- He would like to thank the department for bringing this project forward to the Commission.

- The site is appropriate for office use and all the floors will be handicap accessible.

(+) Bret Robertson - Vice President and General Counsel of Critical Path

- The company was founded in 1997 in San Francisco as an e-mail outsourcer to manage the e-mail Messaging needs of individual and Internet businesses. Their slogan states that they manage the world's e-mail.

- They have a large number of clients.

- They have offices in over 30 cities, 11 countries and 4 continents. They have chosen to keep their headquarters in San Francisco but they have totally out grown their current space.

- They are excited about the future of the company.

- They look forward to continuing their success and remaining part of the innovative high-tech community of San Francisco.

(+) Sheryl Van

- She is proud to say that at Critical Path they recognize that they have a responsibility to contribute to the community and that they are constantly acting on their commitment to do so.

- They welcome applicants of all people.

- They are working to identify other employee agencies to identify applicants to fill their employment vacancies.

(+) Sue Hester

- It is refreshing for someone to come honestly into the City and do the change of use and call themselves an office building.

- She appreciates someone coming in and smartly using the small office cap while there is still quite a bit of space in it.

- Her only concern is that the building be accessible.

ACTION: Approved Staff Recommendations

AYES: Theoharis, Mills, Baltimore, Fay, Joe, Salinas

EXCUSED: Chinchilla

MOTION NO. 16022

- 19b. 2000.987BCX (MILLER: 558-6344)
530-32 FOLSOM STREET (also known as 41 Clementina Street) - northeast corner at Ecker Street, between First and Second Streets, Lot 17 in Assessor's Block 3736
--Request under Planning Code Sections 320-322 (Office Development Limitation Program) to allow Request for authorization of office space in the downtown area pursuant to Section 321 of the Planning Code. The project proposal is the creation of up to 46,000 square feet of office space in an existing building currently being rebuilt (after a fire) and expanded for occupancy as live / work units, of approximately 46,000 gross square feet. The project is within a C-3-S (Downtown Support) District and 200-S Height

and Bulk District.

Preliminary Recommendation: Approval

SPEAKER(S): Same as 19a.

ACTION: Approved Staff Recommendations

AYES: Theoharis, Mills, Baltimore, Fay, Joe, Salinas

EXCUSED: Chinchilla

MOTION NO. 16023

- 19c. 2000.987BCX (MILLER: 558-6344)
530-532 FOLSOM STREET (also known as 41 Clementina Street) - northeast corner at Ecker Street, between First and Second Streets, Lot 17 in Assessor's Block 3736 --Request for authorization of a **CONDITIONAL USE** for approximately 6,000 square feet of **OFFICE SPACE AT OR BELOW THE GROUND FLOOR** and for **OFF-STREET PARKING EXCEEDING ACCESSORY AMOUNTS** (20 spaces when the Planning Code would permit up to 15 spaces), in conjunction with conversion of live/work units to up to 46,000 square feet of office space, requiring review under Planning Code Sections 309 and 321(also requiring a Variances of Planning Code standards for open space), in a C-3-S (Downtown Support) District and a 200-S Height and Bulk District.
Preliminary Recommendation: Approval

SPEAKER(S): None

ACTION: Without Hearing. Continued to November 16, 2000

AYES: Theoharis, Mills, Baltimore, Chinchilla, Fay, Joe, Salinas

- 20a. 1999.821BDVC (GORDON: 558-6309)
178 TOWNSEND STREET - southeast corner of Townsend Street and Clarence Place, Lot 13 in Assessor's Block 3788 -- Request for Conditional Use Authorization to allow up to 49,999 square feet of office space within a building in the SLI (Service/Light-Industrial) Zoning District that is also a Contributory structure to the South End Historic District, pursuant to Planning Code Section 803.5(b). The site is within the SLI (Service/Light Industrial) District, a 50-X Height and Bulk District, the Industrial Protection Zone's Mixed Use Housing Zone, the proposed Ballpark Vicinity Special Use District's South End Service District and is a Contributory building to the South End Historic District.
Preliminary Recommendation: Approval with conditions
(Continued from Regular Meeting of October 26, 2000)

SPEAKER(S):

(+) Warner Schmalls - Project Architect

- This is a unique project since it's a historic building.

- This is a 114 year old building. It was originally the California Electric Light Company built in 1886.

- The building will be rebuilt to emulate its 1906 appearance. The building is just a shell, there is no structural integrity to the building.

- Because of its historic quality and the need in the zoning code to preserve this building, giving office use as an incentive is the reason that a developer/owner can afford to seismically upgrade this building and bring it up to code and spend the resources that is required to preserve this building.

- From the outside the building will resemble it's 1906 appearance.

- There were some issues to face with the neighbors but these issues have been dealt with.
- They have worked really hard with the neighbors to make sure that everything is in order.

(+) Mark Mathis - Project Sponsor

- His father and partner bought the building in 1968.
- This building started life in 1888. After being damaged in the 1906 earthquake it was mostly used as a warehouse.
- Some structural work was done to the building already.

(+) Mike O'Neal - Legacy Partners former Lincoln Property

- They will be moving their headquarters from Foster City to San Francisco.
- They are going to be putting a lot of money into this building and try to make it classy.
- They are very excited about this project.

(-) Jeffrey Leibovitz

- He wants to commend the project sponsor in working with the Heritage Foundation to try to save the building.
- It was unfortunate that the smoke stack was removed.
- This project will create a deficit parking. This area needs to create more parking garages and here there will be a reduction of parking. He would like to go forward on the 90 parking spaces which is a minimum for this use.
- This is a historic resource.
- He would like a conditional use to be granted and be attached.

(+) Sue Hestor

- She was ready to file a DR when the developer was going to call themselves a 24,999 square foot office building and 25,001 square foot business service space. Fortunately there was no need since the developer is coming through as office. Another smart developer!
- She is not opposed to this project.

ACTION: Approved

AYES: Theoharis, Mills, Baltimore, Chinchilla, Fay, Joe, Salinas

MOTION NO. 16024

20b. 1999.821VCDB (GORDON: 558-6309)

178 TOWNSEND STREET - on the southeast corner of Townsend Street and Clarence Place, Lot 13 in Assessor's Block 3788 -- Request under Planning Code Section 321(b) (4) for authorization to add approximately 49,002 square feet of office space to the City's Office Development Annual Limit Reserve for Smaller Buildings. The site is within the SLI (Service/Light Industrial) District, a 50-X Height and Bulk District, the Industrial Protection Zone's Mixed Use Housing Zone, the proposed Ballpark Vicinity Special Use District's South End Service District, and is a Contributory building to the South End Historic District.

Preliminary Recommendation: Approval with conditions

(Continued from Regular Meeting of October 26, 2000)

SPEAKER(S): See Item 19a.

ACTION: Approved

AYES: Theoharis, Mills, Baltimore, Chinchilla, Fay, Joe, Salinas

MOTION NO. 16025

20c. 1999.821BVCD

(GORDON: 558-6309)

178 TOWNSEND STREET - on the southeast corner of Townsend Street and Clarence Place, Lot 13 in Assessor's Block 3788 -- Staff Initiated Discretionary Review of a project proposing renovation of an existing three-story building from auto repair to office use. Approximately 49,002 square feet of office use is proposed. The proposal would develop a new fourth floor to the existing structure to make the building four-stories and 50-feet tall. The site is within the SLI (Service/Light Industrial) District, a 50-X Height and Bulk District, the Industrial Protection Zone's Mixed Use Housing Zone, the proposed Ballpark Vicinity Special Use District's South End Service District, and is a Contributory building to the South End Historic District.

Preliminary Recommendation: Do not take Discretionary Review

(Continued from Regular Meeting of October 26, 2000)

SPEAKER(S): See Item 19a

ACTION: Do Not Take DR and Approve Project

AYES: Theoharis, Mills, Baltimore, Chinchilla, Fay, Joe, Salinas

20d. 1999.821BCDV (GORDON: 558-6309)

178 TOWNSEND STREET - on the southeast corner of Townsend Street and Clarence Place, Lot 13 in Assessor's Block 3788. The proposal is renovation of an existing three-story building from auto repair to office use. Approximately 49,002 total gross square feet of office use is proposed, approximately 45,000 square feet of that as occupied floor area.

The proposal would develop a new fourth floor to the existing structure to make the building four-stories and 50-feet tall. Request for an off-street parking waiver pursuant to Planning Code Sections 161(m) and 307(g) to reduce the Planning Code required parking of 90 spaces, to 18 legally independently accessible off-street parking spaces, but 35 tandem/valet spaces in total. The site is within the SLI (Service/Light Industrial) District, a 50-X Height and Bulk District, the Industrial Protection Zone's Mixed Use Housing Zone, the proposed Ballpark Vicinity Special Use District's South End Service District, and is a Contributory building to the South End Historic District.

Preliminary Recommendation: Approval with conditions

(Continued from Regular Meeting of October 26, 2000)

SPEAKER(S): None

ACTION: Zoning Administrator has closed the public hearing and has taken the item under advisement.

E. SPECIAL DISCRETIONARY REVIEW HEARING

At Approximately **7:37 P.M.** the Planning Commission will convened into a Special Discretionary Review (DR) Hearing.

21a. 1998.885D (GORDON: 558-6309)

128 KING STREET, south side of King Street between Second and Third Streets, Lot 23 in Assessor's Block 3794 -- Staff Initiated Discretionary Review of Building Permit Application Nos. 9725403, 9725404, 9801069, and 9801070, proposing to rehabilitate, seismically upgrade and re-use the existing vacant unreinforced masonry warehouse building into art, restaurant and multimedia space. The proposed project also includes the addition of a partial mezzanine level within the building and a penthouse addition on the

fourth floor. The project site is within the M-2 (Heavy Industrial) District, a 105-X Height and Bulk District, within the proposed Ballpark Vicinity Special Use District's South End Office District, and is a Contributory Building to the South End Historic District. By Resolution 14844, the Planning Commission adopted a policy of Automatic Discretionary Review for project or permit applications that do not meet the more restrictive provisions of the proposed South End permanent controls. Under these controls the proposed project would be required to receive Conditional Use Authorization for the bar and restaurant use, and is therefore currently subject to the Discretionary Review process. Preliminary Recommendation: Take Discretionary Review, applicant should reduce square footage of the restaurant/bar.

SPEAKER(S):

(+) Dan Sullivan - Representing Project Sponsor - Van Properties

- This project is to rehabilitate a UMB into restaurant and multimedia use.
- The proposed restaurant meets all the criteria set forth in section 303 and the Special Use District.
- The proposal is for a restaurant not a sports bar.
- The building has passed through the landmarks process. The building has had no parking access.
- This site is very well served by public transit.
- Regarding traffic issues like off street loading and people who would be coming into the restaurant --there is a loading zone which is very restrictive. Passenger who need to debark at the restaurant, there is a passenger zone in front of MOMO restaurant which can be extended.

(+) Alan Byer - Project Sponsor

- He has been in the garment business for 36 years.
- San Francisco has been really good to him. It has afforded him the luxury to be involved with the group that purchased the Giants in 1992 when they were ready to leave town.
- He has been involved in developing the area around the ballpark.
- This project is a long-time family investment.
- He has gone through all the heritage and landmark obligations and both are supporting this project.

(+) Joe O'Donahue -

- This is a contributory building.
- He supports this project entirely.

(-) Jeffrey Leibovitz

- Valet Parking should be applied. MOMO does it and this project should require it as well.

(-) Sue Hestor

- She has been tracking this project for a long time. She requested that staff communicate to her about changes through this project but nothing was ever communicated to her. She has had no response to her letters.
- How do you appeal a project you don't even know about?
- The developer will find out that it's not smart to attach a tenancy to a determination.

(-) Michael Burke - Represents SOMA Partners LLP

- His clients want to support this project but they feel compelled to oppose it as proposed because of two reasons: There are no provisions for off-street parking. The Neg Dec states a requirement for off-street parking. There is no provision for off-street loading. These deficits will create negative impacts on this block.

(-) Douglas Rosenberg - Developer/Partner of 139 Townsend and 160 King LLC

- He has never opposed a project.
- He has tried to be reasonable with the project sponsor. This is not a personal vendetta.
- There should be a consistent application of the Planning Code.
- If there is a change in the policy, then things need to be reconsidered.
- The loading issue can be solved and he can sit with the project sponsor to work something out.
- Regarding the parking, he is looking for some sort of consistency with similar situations on previous projects.

(-) Paul Stein - SKS Investments

- He is not involved with 160 King Street.
- He was invited by the project sponsor to discuss off-street loading and after that meeting the sponsor never called him again.

ACTION: Take DR with the following requirements: Reduce square footage, require valet parking; establish offpeak loading hours

AYES: Theoharis, Mills, Baltimore, Chinchilla, Fay, Joe, Salinas

21b. 1998.885V (GORDON: 558-6309)

128 KING STREET, south side of King Street between Second and Third Streets, Lot 23 in Assessor's Block 3794. Request for an off-street parking variance from the Planning Code required 54 off-street parking spaces. Section 151 of the Planning Code requires in total 112 off-street parking spaces for the proposed mixed uses at the site. However, the existing warehouse building was constructed in 1913 without providing any on-site parking spaces. Therefore there is a current parking deficiency of 58 off-street parking spaces for the previous warehouse use on the site, thereby reducing the amount of the Planning Code required off-street parking for the new proposed uses to 54 spaces. No off-street parking spaces are proposed. The project site is within the M-2 (Heavy Industrial) District, a 105-X Height and Bulk District, within the proposed Ballpark Vicinity Special Use District's South End Office District, and is a Contributory Building to the South End Historic District.

Preliminary Recommendation: Approval with conditions.

SPEAKER(S): None

ACTION: Zoning Administrator has closed the public hearing and has taken the matter under advisement.

22a. 2000.866D (JONES: 558-6477)

75 ZIRCON PLACE, east side of Zircon Place between 29th and Day Streets, Lot 068 in Assessor's Block 7537 -- Request for Discretionary Review of Building Permit Application No. 2000/02/03/1013 proposing the construction of a new four-story, single-family dwelling in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District. Preliminary Recommendation: Do not take Discretionary Review and approve the building permit application as submitted.

Preliminary Recommendation: Do not take Discretionary Review and approve building permit.

SPEAKER(S):

(-) Did not state name - Project Sponsor

- The main questions are: 1) Is this project too big for the neighborhood. Have all the parties really exhausted negotiating to find an agreeable solution? He believes that neither of these are true.

- The volume and mass of the proposed structure is too large. It will be the biggest structure on this street.

- He is not opposed to the needs of the family of this project but they should have purchased a larger lot.

(-) Buck Trigers - Co-Trustee of 95 Zircon Place

- The structure is quite monolithic as proposed.

(-) Randy Vistine

- He met Shamus McGee, his daughter, Janet, and the architect Steven Antinaris. Mr. McGee's manner was quite bullish and intimidating. Mr. McGee stated that he had been building houses for 35 years and never had problems like this. But that's not true because Mr. Vistine's father was a contractor and always had problems like this.

- When Mr. Passmore subdivided the lot in 1997, his statement was that the house that was to be built on this lot could be no more than 900 square feet. Mr. Antenaris plans call for a footprint of about 1,060 square feet.

(-) Steve Matune

- This house was proposed 15 years ago but it wasn't able to be built because the street was located in the Diamond Heights Redevelopment Area. The zoning for most of Diamond Heights fell under that, the houses on either side were constructed under the Redevelopment rules.

- This house is just too large for the neighborhood. The houses on either side are a lot smaller.

(-) Leticio Mariano

- He lives in the neighborhood.

- The proposed structure will tower over his house. He has some concerns and would like to propose a reasonable dialog with the developer. Other concerns involve the steepness of the slope where the proposed structure will be located.

(-) Mark Rupper

- Has lived on Zircon Street for more than 20 years and would like to retain the pleasant atmosphere which now exists there.

- All structures should be of the same silhouette and size. The proposed structure does not meet these conditions.

- He is also disturbed by the constant shifting of figures and dates of completion. He believes a reasonable compromise can be achieved but the final details of the project should be settled by the neighbors. To date, no one has contacted him.

(-) Bill Kurtis

- He is going to be right next to the proposed structure.

- A few months ago, he signed something but didn't really read what he signed. He is sorry that he signed the document.

- He has lived in this area for many years. He has seen Diamond Heights being developed.

- The new structure will be totally out of scale with this neighborhood.

(-) Linette Crain

- She loves her neighborhood and is very proud of it. When she saw the design of the structure she was appalled and would like to have the Commission take DR on this project.

(-) Sherie Broucker

- She supports taking DR and agrees with all the neighbors who have spoken previously.

(+) Brett Gladstone

- There were 3 meetings with Mr. Goodman. Mr. Gladstone understood that Mr. Goodman was speaking for the rest of the neighbors. He is sorry if he misunderstood

and didn't go to the neighbors directly.

- The report produced by Mr. Passmore didn't state that there were conditions limiting the size of the future lot. Because of the strange lot configuration and the small size, to develop a decent-sized home would require some kind of a variance for a front yard deck which is what is before the Commission.

- The issues have always been regarding views.

- The project was originally 10 feet higher. It was brought down by request of staff. Mr. Goodman requested story poles, then there was a further reduction.

- Mr. Goodman has requested to keep a view of St. Paul's Church. This would require the removal of the entire peaked roof of this project which would severely impact the livability and the size of the project. If the peak roof was eliminated and instead put a flat room it would be totally different from the other houses.

(+) Joe O'Donahue - Residential Builders

- This is a sloping lot.

- This building is a modest building. It is two stories above street level.

- The issues about the Redevelopment Agency would have been imposed when they took jurisdiction of the area.

(+) Patricia Voughey

- She has worked with Mr. McGee and she knows that he is a very, very good builder.

ACTION: Do not take DR and Approve Building Permit

AYES: Theoharis, Mills, Baltimore, Chinchilla, Fay

NAYES: Salinas, Joe

22b. 2000.866V (JONES: 558-6477)

75 ZIRCON PLACE, east side of Zircon Place between 29th and Day Streets; Lot 068 in Assessor's Block 7537 in an RH-1 (Residential, House, One-Family) District AND 40-X Height and Bulk District. **FRONT YARD VARIANCES SOUGHT:** The proposal is to construct a new deck in the required front setback. The deck will allow for entry access to a new 4-story, single family dwelling. Section 132(d)(2) of the Planning Code requires a maximum 15-foot front setback, measured from the front property line for the subject property. The proposed deck would encroach entirely into the required front setback.

SPEAKER(S): None

ACTION: Zoning Administrator has closed the public hearing and has taken the variance under advisement.

23. 2000.786D (CHIN: 575-6897)

2844 GREENWICH STREET - between Baker and Lyon Streets, Lot 033 in Assessor's Block 0940, proposing to raise the split level roof in the rear to match the existing roof level in the front in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take discretionary review and approve the building permit as submitted

SPEAKER(S):

(-) Patricia Vaughey

- For the sake of Commissioner Fay, Baltimore and Salinas, she showed a picture of the penthouse.

- On May 13, the Commission asked the property owner to take down the penthouse and canceled the project.

- At the April 13, 2000 meeting, Mr. Somaya was informed by the Commissioners of the gravity of what he had done.
- On May 4, 2000, Mr. Somaya said that he would bring the penthouse down if he could keep his permit. At the time he made his speech he had already made a "peace meal" permit on May 3, 2000 for the windows of that permit and then he subsequently applied for the raising of the roof and the sidewall for the patio on the front.
- As of yesterday, Bureau of Building Inspection does not report any final inspections for the roof.
- Neighbors have seen the walls come down but the wood has remained there. The neighbors are concerned that the penthouse is still going to go up.

(-) Jennifer Crandall

- She lives west of the proposed building. She is upset by the unethical way that this is being built.

(-) Bob Greeley

- He is a neighbor. About a month ago he received a notice that there would be some construction done to raise the split level roof. He called various places and finally ended up at the Planning Department. He requested a blueprint to try to understand what splitting a level roof was.
- About a week ago he received a notice to come over to the proposed project site. He won't over and started talking with the project sponsor. He requested to see pictures of the project and he only received a small piece of paper.

(-) Dr. Gene McCoy

- The building has been finished and there is no intention to rebuild this. The building is horrendous and the owner has done a good job to alienate the neighbors.
- Would like the Commission to deny this project.

(-) Greg Hanson - Cow Hollow Neighborhood in Action

- He has been asked to speak on behalf of the owner and the residents of the building which he lives in. The issues are regarding air and light.

(-)Tim Lucier

- He lives across the back yard from the proposed building. His light will be reduced because of this building. There has been construction at 5:00 a.m. and even during Christmas Eve.
- He doesn't trust the owner of the proposed building.

(-) Mary Boardman

- On the April 13, 2000 hearing, the Cow Hollow Association urged the Commission to maintain the roof at the existing level. It was not just about the penthouse. There have been requests and petitions for a sun study.
- This is a case of a family wanting more light in their living room. This is at the expense of reduction of light and air to all the neighbors.

(-) Richard Olsen

- He lives in the neighborhood. There were 27 people that requested a sun study. The owner of the proposed structure did a so-called sun study.
- Everyone on the block is very concerned about this project.

(-) Chris Vankovitch

- He is speaking on behalf of himself and his grandparents. His bedroom window faces north and a small number of feet from the structure. It will have an adverse affect on the light coming into his bedroom.
- The structure is completely out of taste to the neighborhood.

(-) Stuart Fung

- His family lives in a building adjacent to the proposed structure.
- He has directly seen the impact of the illegal construction of the penthouse. If the roof is

raised it will affect the light coming into his home.

(+) Christopher Moscone - Representing project sponsor

- He represents Jitu Somaya. The last two speakers are related to the last DR requestor who withdrew the DR.

- Since the Commission requested the removal of the penthouse, he has done just as the Commission requested.

- Mr. Somaya and his wife has paid the price for the mistake they made regarding the penthouse.

- The penthouse is not an issue anymore. This proposal is not about the penthouse but about raising the roof to the size of what is already in the front of the building.

- The wood which is still on the roof, is wood which will be reused for raising the roof.

- The DR were filed by two people: Mr. Fung and Ms. Voughey. Among other things Mr. Somaya agreed to an additional 9 1/2 foot setback. He also agreed to paint the vertical wall facing the Somaya's property a white or off-white color which was Mr. Fung's choice. Mr. Fung withdrew his DR. The remaining DR is of Mrs. Voughey.

- He would like the Commission to decide this matter on the merits. Mr. Somaya made a mistake and he is paying for it. There are neighbors that Ms. Voughey brought who oppose the project yet there are neighbors here who do support the project.

(+) Robert Marciel - Independent Consultant

- He works for the Pacific Energy Center. They provide a service regarding light.

- He went to the Residential Design Guidelines and there is a question of a pattern of rear yard depth creating a common open space. In this case there isn't.

(+) Vishal Thacker

- He, along with Robert Marciel, worked on the shadow analysis. This study has been done on a very professional basis. The building model from the architect is up to scale.

(+) Susan Somaya

- She is here to ask the support of the Commission and ask for their approval.

- When she found out that there was a DR filer, she was shocked because she and her husband had spoken to all the neighbors.

- She took pictures of the homes, every hour on the hour from her camera and showed them to her neighbors.

(+) Steve Rehms

- He has lived in Cow Hollow for 3 years. He supports the project completely.

- He showed some diagrams comparing the homes in the neighborhood regarding height.

(+) Amy Nicolas

- She has lived in Cow Hollow for many years. She supports the project. The concern of the penthouse not being removed is not correct. Mr. Somaya invited the planner for a site visit. She read a letter from the Planner to Mr. Somaya regarding the site visit.

(+) Sherry Mathews

- The Somayas have collected signatures of people who support the project. She showed a diagram of the homes who support the project.

(+) Arvind Lyer - Project Architect

- The drawings were done per code. The project meets code requirements. He has managed to get a letter from the previous architect who designed the building which states that the building was done to code for that particular year.

- Someone stated that dirt was being put in the back and raising the ground. These are just misconceptions that neighbors have come up with.

(+) Jitu Somaya - Project Owner

- He would like to request the Commission to approve his project.

- He made a mistake and has paid the price. He apologizes for the mistake he made.

- He has caused a lot of pain to himself and his family.
- This time, he is here not because of the penthouse but for straightening the roof.

ACTION: **Take DR and place conditions on approval of permit (add sidings on all exposed sides, no penthouse; require that plans be stamped, any modifications have to come back for further Planning Commission action; report back to the Commission in a 6 month period (under Director's Report).**

AYES: **Theoharis, Mills, Baltimore, Chinchilla, Fay, Joe, Salinas**

24. 2000.995D (B. WASHINGTON: 558-6263)
53 GLENVIEW - Request for Discretionary Review of BPA No. 2000/05/01/8755 to construct a two-story rear horizontal extension to an existing single-family, two-story dwelling unit in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve the building permit as submitted.

SPEAKER(S):

(+) Nancy Wu - Project Sponsor

- She has in good faith tried to meet the needs of the DR requestor.
- There have been meetings and mediation meetings with DR requestor.
- It is a strange and difficult situation because the DR requestor is selling the property.

ACTION: **Do not take DR and approve project.**

AYES: **Theoharis, Mills, Baltimore, Chinchilla, Fay, Joe, Salinas**

25. 2000.953D (WONG: 558-6381)
642 CAROLINA STREET - Lot 007 in Assessor's Block 4071, Building Permit Application No. 200005220620, Request for Discretionary Review for a proposal of a modification of an existing garage by expanding it to a three-story single family residence over a two car garage. The existing single family residence at the rear of the property will remain so that the subject property will contain a total of two dwelling units. The subject property lies within a RH-2 (Residential, Two-Family) Zoning District and a 40-X Height / Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve as proposed

SPEAKER(S):

(-) Mike Freit

- He has lived on Carolina for 5 years.
- He is 100 feet uphill from the proposed project. There are concerns about fire safety lane. He has concerns about the other downhill properties.
- He first requested to have building lowered. This idea was rejected. Then he requested to have the roof tapered and that was rejected as well.

(+) Jerry Augusta - Owner

- He submitted signatures of support from neighbors.
- He has been a builder in San Francisco since 1991. He thought that this was a non-controversial project.
- This building is less than 25 x 25 feet.
- He doesn't understand the view issue from his neighbor.
- He has worked hard to compromise and make the project fit into the neighborhood.

(+) Jonathan Pearlman - Project Architect

- Using Mr. Fray's diagram to show that he has a very substantial view. It is amazing that he is requesting modification.

- Across the street, every single building has a flat roof yet on the side of the street where the project will be constructed, there is a very mixed character.

(+) Haily Parsons

- She has watched the property owner bend over backwards to try to deal with the neighbors issues.

(+) Joseph Bradford

- He supports the project since the property owner has been sensitive to the neighbors needs.

ACTION: Do not take DR and approve as submitted

AYES: Theoharis, Mills, Baltimore, Chinchilla, Fay, Joe, Salinas

F. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

"The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

SPEAKER(S): None

Adjournment: 10:20 p.m.

THE DRAFT MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, JANUARY 11, 2001.

SAN FRANCISCO PLANNING COMMISSION

Meeting Minutes

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, November 9, 2000

1:30 PM

Regular Meeting

DOCUMENTS DEPT.

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PRESENT: Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis
ABSENT: None

THE MEETING WAS CALLED TO ORDER BY PRESIDENT THEOHARIS AT 1:35 P.M.

STAFF IN ATTENDANCE: Gerald G. Green - Director of Planning; Larry Badiner - Zoning Administrator; Kelley LeBlanc; Roger Herrera; Dan DiBartolo; Paul Deutsch; Adam Light; John Davidson; Elizabeth Gordon; Michael Smith; Nora Priego - Executive Secretary; Patricia Gerber - Transcription Secretary; Linda D. Avery - Commission Secretary

A. ITEMS PROPOSED FOR CONTINUANCE

- 2000.045D (WANG: 558-6335)
1117-1125 OCEAN AVENUE, Lots 041 and 042, in Assessor's Block 6944 -- Request for Discretionary Review - proposing to demolish an existing ground floor single-family residence and storefront on Lot 042, demolish an existing storefront and a garage on Lot 041, and construct a new four-story, mixed-use building occupying both lots, in an NC-2 (Small-Scale Neighborhood Commercial) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted
(Proposed for Continuance to November 16, 2000)

SPEAKER(S): None
ACTION: Continued to December 14, 2000
AYES: Theoharis, Mills, Baltimore, Chinchilla, Fay, Joe, Salinas

2. 2000.884D (PURVIS: 558-6354)
688 POWHATTAN AVENUE, Appeal of a determination of compatibility, pursuant to Planning Code Section 242(e)(6)(B), of Building Permit Application No. 2000/04/04/6293, to construct a 3-story, single-family dwelling at a height of 30 feet and with two off-street parking spaces. The project site is within an RH-1 (Residential, House, One-Family) District, with a 40-X Height and Bulk designation and is within the Bernal Heights Special Use District.
Preliminary Recommendation: Take Discretionary Review and approve project with modifications
(Continued from Regular Meeting of October 26, 2000)
(Proposed for Continuance to November 16, 2000)

SPEAKER(S): None
ACTION: Continued to November 16, 2000
AYES: Theoharis, Mills, Baltimore, Chinchilla, Fay, Joe, Salinas

3. 2000.270C (BRESSANUTTI: 558-6892)
535-537 VALENCIA STREET, east side between 16th and 17th Streets; Lot 044 in Assessor's block 3569: Request for Conditional Use authorization to (1) allow continued operation of an existing large (over 1,000 square feet) fast food restaurant, presently d.b.a. "Cable Car Pizza", per Section 726.43 of the Planning Code, and (2) to extend the hours of operation from 2:00 a.m. to 3:00 a.m., per Section 726.27, in the Valencia Street Neighborhood Commercial District and a 50-X Height and Bulk District.
Preliminary Recommendation: Approval of large fast food use; disapproval of extended hours.
(Continued from Regular Meeting of November 2, 2000)
(Proposed for Continuance to November 16, 2000)

SPEAKER(S): None
ACTION: Continued to November 16, 2000
AYES: Theoharis, Mills, Baltimore, Chinchilla, Fay, Joe, Salinas

4. 1999.455E (NAVARRETE: 558-5975)
NEW DeYOUNG MUSEUM PROJECT, **Certification of Environmental Impact Report.** The proposed project would demolish and reconstruct the M.H. DeYoung Museum on the site of the existing DeYoung Museum in Golden Gate Park. The project would include demolition of eight existing buildings, totaling approximately 230,000 square feet, which compose the DeYoung Museum and the Asian Art Museum. (The Asian Art Museum will move to the Civic Center.) The new building would include two main levels above grade, one level below grade with a varying roof height ranging from 33 to 48 feet, and a 160-foot tower at the northeast corner of the project site. The building would increase current DeYoung Museum gallery and exhibition space at the site from the existing 37,000 sf to total about 75,000 sf. The project would remove the 85 existing paved parking spaces for museum staff, currently on the eastern side of the museum, and would not provide replacement parking. The project site is within the P (Public Use) zoning district and within an OS (Open Space) Height and Bulk District; Assessor's Block 1700, Lot 1, bounded to the north and east by John F. Kennedy Drive, to the south by Tea Garden Drive and to the west by the Hagiwara Japanese Tea Garden.
Preliminary Recommendation: Certify Final Environmental Impact Report
(Proposed for Continuance to December 7, 2000)

SPEAKER(S): None
ACTION: Continued to December 7, 2000

AYES: **Theoharis, Mills, Baltimore, Chinchilla, Fay, Joe, Salinas**

5. 2000.1094K (NIKITAS: 558-6306)
NEW DEYOUNG MUSEUM PROJECT, Findings Regarding Planning Code Section 295 ("Sunshine Ordinance"). The proposed project would demolish and reconstruct the M.H. DeYoung Museum on the site of the existing DeYoung Museum in Golden Gate Park. The project would include demolition of eight existing buildings, totaling approximately 230,000 square feet, which compose the DeYoung Museum and the Asian Art Museum. (The Asian Art Museum will move to the Civic Center.) The new building would include two main levels above grade, one level below grade, with a varying roof height ranging from 33 to 48 feet, and a 160-foot tower at the northeast corner of the project site. The building would increase current DeYoung Museum gallery and exhibition space at the site from the existing 37,000 sf to total about 75,000 sf. The project would remove the 85 existing paved parking spaces for museum staff, currently on the eastern side of the museum, and would not provide replacement parking. The project site is within the P (Public Use) zoning district and within an OS (Open Space) Height and Bulk District; Assessor's Block 1700, Lot 1, bounded to the north and east by John F. Kennedy Drive, to the south by Tea Garden Drive and to the west by the Hagiwara Japanese Tea Garden. Section 295 of the Planning Code requires, prior to approval of the project, that a determination be made that shading from the structure will not have a significant and adverse effect on lands under the jurisdiction of the Recreation and Park Department. The Commission shall make this determination in a joint hearing with the Recreation and Park Commission to adopt implementation criteria.
Preliminary Recommendation: Pending
(Proposed for Continuance to December 7, 2000)

SPEAKER(S): **None**
ACTION: **Continued to December 7, 2000**
AYES: **Theoharis, Mills, Baltimore, Chinchilla, Fay, Joe, Salinas**

6. 2000.1094R (ALUMBAUGH: 558-6601)
GENERAL PLAN REFERRAL FOR THE NEW DEYOUNG MUSEUM PROJECT IN GOLDEN GATE PARK.
Preliminary Recommendation: Pending
(Proposed for Continuance to December 7, 2000)

SPEAKER(S): **None**
ACTION: **Continued to December 7, 2000**
AYES: **Theoharis, Mills, Baltimore, Chinchilla, Fay, Joe, Salinas**

7. 2000.1094V (WOODS: 558-6315)
NEW DEYOUNG MUSEUM PROJECT, Parking Variance Request. The proposal is to remove 85 surface parking spaces for museum staff, currently on the eastern side of the museum, and to construct a new DeYoung Museum without providing the required 156 off-street parking spaces. The project site is within the P (Public Use) Zoning District and within an OS (Open Space) Height and Bulk District; Assessor's Block 1700, Lot 1, bounded to the north and east by John F. Kennedy Drive, to the south by Tea Garden Drive, and to the west by the Hagiwara Japanese Tea Garden.
(Proposed for Continuance to December 7, 2000)

SPEAKER(S): **None**

ACTION: Continued to December 7, 2000
AYES: Theoharis, Mills, Baltimore, Chinchilla, Fay, Joe, Salinas

8. 2000.052EZ: (BORDEN: 558-6321)
14, 20, 26, 32, 38, 50, AND 56 ARCO WAY AND THREE ADDITIONAL VACANT LOTS, north side of Arco Way, abutting the Bay Area Rapid Transit tracks; Lots 024, 025, 026, 027, 028, 032, 037, 038, 039, and 051 in Assessor's Block 3154 -- Request to reclassify the subject property from P (Public District) to RH-1 (Residential, House, One-Family District) with a 40-X Height and Bulk District designation. The rezoning of these parcels is related to building permit applications on file with the Department to construct ten single-family structures on the ten existing vacant lots. Each single-family dwelling will require separate approval under the building permit application process.
Preliminary Recommendation: Approval with conditions
(Continued from Regular Meeting of October 26, 2000)
(Proposed for Continuance to December 14, 2000)

SPEAKER(S): None
ACTION: Continued to December 14, 2000
AYES: Theoharis, Mills, Baltimore, Chinchilla, Fay, Joe, Salinas

9. 2000.052E (JAROSLAWSKY: 558-5970)
ARCO WAY -Appeal of a Preliminary Negative Declaration. The vacant project site is located on lots 024 through 028, lot 032, lots 037 through 039 and lot 051 located on block 3154 within the Outer Mission District of the City of San Francisco. The address of the project site is 14, 20, 26, 32, 38, 44, 50, 56 and 62 Arco Way. Two lots would be merged to create a total of nine legal lots. The proposed project includes the rezoning of the lots from Public (P) to Residential House-One Family (RH-1) with a 40-X Height and Bulk Designation and the construction of one, single-family structure on each legal lot. Each structure would be approximately 2,000 square feet, contain a two-car garage and be a maximum of 30 feet in height. The lots are along the northern side of Arco Way and range from 1,973 square feet to 9,900 square feet and abut the Bay Area Rapid Transit tracks to the north.
Preliminary Recommendation: Uphold Preliminary Negative Declaration
(Continued from Regular Meeting of November 9, 2000)
(Proposed for continuance to December 14, 2000)

SPEAKER(S): None
ACTION: Continued to December 14, 2000
YES: Theoharis, Mills, Baltimore, Chinchilla, Fay, Joe, Salinas

10. 2000.578D (KEYLON: 558-6613)
1401 DOUGLASS STREET, southeast corner at Duncan Street, Lot No.020 in Assessor's Block 6605 -- Request for Discretionary Review of Building Permit Application Nos. 200002252837, 200002252844 and 200002252847 for demolition of an existing one-story-over-garage, single-family dwelling. The proposal includes the subdivision of the subject lot into two legal lots and construction of a new single-family dwelling unit on each new parcel. The subject lot is zoned RH-1 (House, One-Family) and 40-X Height and Bulk District.
Preliminary Recommendation: Take Discretionary Review and approve the project with conditions
(Continued from Regular Meeting of October 26, 2000)
(Proposed for continuance to December 14, 2000)

SPEAKER(S): None
ACTION: Continued to December 14, 2000
AYES: Theoharis, Mills, Baltimore, Chinchilla, Fay, Joe, Salinas

11. 2000.046D (FALLAY; 558-6367)
2147 - 29TH AVENUE, Lot No. 012, in Assessor's Block 218S. Request for Discretionary Review of BPA No. 9912564, proposing to construct a third-story addition at the rear of the existing two-story, single-family dwelling within RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: It is the Department's view that the proposed third floor addition is within the buildable area of the lot and meets the minimum criteria of the volume and mass of the Residential Design Guidelines. The issue of light, air and view from the site of the Discretionary Review requester's building is not compelling enough to warrant a disapproval of the proposed third floor addition. The Department therefore recommends that the Commission do not take a Discretionary Review and approve the project as proposed.
(Proposed for continuance to December 7, 2000)

SPEAKER(S): None
ACTION: Continued to December 7, 2000
AYES: Theoharis, Mills, Baltimore, Chinchilla, Fay, Joe, Salinas

B. COMMISSIONERS' QUESTIONS AND MATTERS

12. Commission Matters
None

C. DIRECTOR'S REPORT

13. Director's Announcements
None
14. Review of Past Week's Events at the Board of Supervisors & Board of Appeals
None
15. 1999.176BX (LeBLANC: 558-6351)
Report on revised open space plan and art proposal for 235 Second Street. The original project was approved on March 2, 2000 in Motions Nos. 15003 and 15004.

SPEAKER(S): None
ACTION: No Action Required

16. (ALUMBAUGH: 558-6601)
Update on the Better Neighborhoods 2002 project, per the Commission's request for quarterly updates.

SPEAKER(S): None
ACTION: No Action Required

D. REGULAR CALENDAR

17.

(GREEN: 558-6411)

Planning Commission consideration of adoption proposed changes to the Rules for the Office Development Annual Limitation Program.

SPEAKER(S):

Sue Hestor

- Need to have a lot of amendments to this study.
- Understand that Prop. M priority policy had been amended by Prop L.
- Staff has the Prop M material in the computer as does every developer in town who come within their Prop M policies; standards are different.
- Are EIRs complete?
- It is not an option to do a beauty contest, it is not a nice idea, it is the law.
- Need to have a full report from the City Attorney's Office.
- The department is now going to have to check the EIRs.

Tom Sullivan

- He would like to request an annual allocation limitation.
- Their situation is unique in regards to the project at First and Howard, and this would be an appropriate action for two primary reasons:
 1. Submitted an application for entire four buildings 9/99. Commission made all supporting findings and granted section 309 approval for all four buildings in March of this year, but granted annual allocation limitation for three buildings, specifically for buildings 2, 3, & 4.
 2. The last building, building #1 has already been subject to the review described in the director's memorandum, therefore believes that including it in the evaluation process being considered today is unnecessary.
- The Commission prefers to restrict the allocation in the March approval of buildings 2 and 3 because of concerns regarding land banking. He believes that this will not be the case. This is one of the most significant leases in the City. This will be the largest commitment to the City made by a Silicon Valley base technology company.
- He would like to thank the Commission
- He would like to request that Building #1 be scheduled on a Planning Commission agenda.

Unknown Speaker

- There are two new criteria spoken to, one of them is the one about projects that had been before the Commission for consideration at a prior date; the other is about art being supplied if it is not required.
- Office buildings in a C-3 zone are required to have art space.

Deborah Walker

- She would like to reiterate some of the concerns of Ms. Hestor.
- It would be a good gesture at this point and pause, and do what the public has asked.

Erick Quesada

- Section B, regarding housing policies, is there an input from the Mayor's Office?

Debra Stein

- There has been an inverted omission on the list of small buildings - 500 Pine Street should be added to this table.
- This draft is preference for a project that already had Planning Commission action. This means you have a bad project that had an EIR certified that failed for approval this year and somehow automatically get a higher rating next year.
- She has concerns about the revisions with regard to housing providing preference for a project that include construction housing.
- Urges Commission not to adopt any kind of preference for projects that are not good enough for

approval.

- Housing language should be amended.
- Should not restrict or discourage projects in the commercial court in the C-3 zones.
- Incentive or advantage to projects that do not currently have public art or open space requirements.

Jim Reuben

- If indeed Prop L pass, it is the law that there are things to be incorporated. We would do whatever is necessary to comply with whatever requirements might be added.
- All of the projects on the list are ready to go.
- Process be accelerated not delayed.
- Ms. Hestor was regrettably correct in regards to 2550 Cesar Chavez and 601 King, both of which his office has been representing. This office could have a problem if indeed Prop L. pass.

ACTION: Continued to December 7, 2000 (Public Comment Remains Open).
AYES: Theoharis, Mills, Baltimore, Chinchilla, Fay, Joe, Salinas

18. (RICH: 558-6345)

General Plan Referral for Urban Design aspects of the Third Street Light Rail Project, including, station platforms, street lighting, trackway paving, and other urban design elements. Preliminary Recommendation: Finding of conformance with the General Plan.

Note: On October 12, 2000, following public testimony, the Commission closed public hearing and continued the matter to 10/26/00 to explore funding sources by a vote of +7 -0.

(Continued from Regular Meeting of October 26, 2000)

SPEAKER(S): None
ACTION: Continued to December 7, 2000
AYES: Theoharis, Mills, Baltimore, Chinchilla, Fay, Joe, Salinas

19. (MALTZER: 558-6391)

ADOPTION OF NEW POLICIES REGARDING OFFICE USE AND CONVERSION OF LIVE/WORK (LOFT HOUSING) WITHIN INTERIM INDUSTRIAL PROTECTION ZONES AND MIXED USE HOUSING ZONES - Consideration of adopting new policies to discourage office development and to further discourage the conversion of live/work to office within the Interim Controls boundary area. These new policies are to supplement existing policies previously adopted August 5, 1999 (CPC Res. 14861).

Preliminary Recommendation: Adopt Resolution creating new Policies within Interim Zones (Continued from Regular Meeting of November 2, 2000)

SPEAKER(S): None
ACTION: Continued to November 16, 2000
AYES: Theoharis, Mills, Baltimore, Chinchilla, Fay, Joe, Salinas

20. 2000.996T: (HERRERA: 558-6316)

HOURS OF OPERATION - Consideration of amendments to the Planning Code Sections 206.3, 209.8 and to add Section 303 (c)(7) to require Conditional Use Authorization with Good Neighbor Policies per Section 805.5 for hours of operation between 2 a.m. to 6 a.m. in the RC-3 and RC-4 Districts for billiard hall, dance hall, nightclub, other amusement enterprise and nighttime entertainment activities, and adult entertainment; and to require Conditional Use Authorization for hours of operation between 2 a.m. to 6 a.m. in the RC-3 and RC-4 Districts

for bars and various eating establishments (full-service restaurant, large fast-food restaurant, and small self service restaurant); and to amend Sections 210.3 and 221(f) to require Conditional Use Authorization to operate amusement and adult entertainment enterprises in C-3-R and C-3-G districts between the hours of 2 a.m. to 6 a.m.

Recommendation: Adoption of proposed amendments.

SPEAKER(S):

(+) David Overdorf

- He supports the proposed zoning changes with some major revisions.
- An EIR needs to be done.
- Parking and traffic is an important issue.
- A plan needs to be done; we need to protect our neighborhood.

(+) Robert Garcia - President of Save our Streets

- This protection needs to be adopted.
- People in the neighborhood need their sleep. People who come to visit and stay in hotels, need their sleep as well.
- He wants to applaud Supervisor Becerril for initiating this ordinance.
- There are 4,000 children in this neighborhood.

(+) Lorrie Pentel

- The legislation is an attempt to have reasonable controls for late-night permits.
- This was initiated with the concerns of neighbors in the area.
- Supervisor Becerril had several meetings to find out the exact the concerns and comments from the neighbors.

(+) Phillip Fate

- This is the most important housing issue since the Commission enacted the 1978 North of Market Special Use District. That legislation insure that it would remain a residential neighborhood.
- Neighbors should not be evicted.
- The bottom line is that the Commissioners would not like an all night venue right next to their bedrooms.

Edith Laderback

- When this district was named the Tenderloin, it was to describe the more desirable section in the heart of the City.
- The area deteriorated into a district permitted with the worst elements of urban America.
- In recent years, the Tenderloin has worked hard to outgrow these destructive activities.
- Families and children must be cherished and protected in the heart of our City.
- Please don't let the Tenderloin go back to the wasteland that it is rapidly outgrowing.
- Let's continue to progress to make the real Tenderloin of our City.

Daniel Emerson

- He is president of a thriving manufacturing company.
- The proposed changes concern him regarding the safety for families and seniors, parking, traffic, and schools in the neighborhood.
- The Mission is a City treasure.

Nick Flynt

- He doesn't believe that this needs to be done at all.
- Many of the people in the area are young people working in the area who pay taxes.
- He would like to preserve this area as it is and not require the conditional use for late night permits.

Leslie Aires

- Would like the Commission to vote against this legislation.
- Misconception about what it is going on at night in the Tenderloin.
- Need places for young people to go at night.

- Night hour people are not some sort of freaks, weirdos; most of them are people who work hard during the day, and structure their life to go out at night.
- Do not put restrictions on a small business.
- Preserve and promote late night option, to keep San Francisco the amazing City it has been since the Gold Rush.

(-) Tarrence Allen

- He is a property owner in the tenderloin. He faces the economic reality of this interesting neighborhood everyday.
- The Moratorium district has been closed for two years to a ban for after hours activities.
- If there were going to be huge problems with this legislation, the problems would come up in areas outside of the moratorium area.
- If you adopt the Conditional Use requirements for after hours you will begin to stifle the economic fatally which is beginning to gain back the very area of San Francisco, that needs it the most.

(-) Patricia Bresland

- Concerned about the amount of time it would take to process this legislation. Supervisor Becerril made a step in the right direction.
- Provide adequate parking for handicap people.
- Hours of operations are simply the results of supply men to men.
- Common criticism from our international visitors, is that this City do not have late night dinner.

(-) Kathleen Harrington

- She has reservations about this legislation.

ACTION: **Approve Legislation**
AYES: **Joe, Salinas**
NAYES: **Theoharis, Mills, Baltimore, Chinchilla, Fay**

ACTION: **Continue to December 7, 2000**
AYES: **Theoharis, Mills, Baltimore, Chinchilla, Fay, Joe, Salinas**

21. 2000.987BCX (MILLER: 558-6344)
530-32 FOLSOM STREET (also known as 41 Clementina Street) - northeast corner at Ecker Street, between First and Second Streets, Lot 17 in Assessor's Block 3736 --Request for Determination of Compliance pursuant to Section 309 with respect to a proposal to convert an existing building currently being remodeled/expanded for live/work to office use. There would be no addition of gross floor area. Parking would be reconfigured to provide 19 independently-accessible spaces and one tandem space on the ground level, accessed from Clementina Street. The project is within a C-3-S (Downtown Support) District and 200-S Height and Bulk District.
Preliminary Recommendation: Approval
(Continued from Regular Meeting of November 2, 2000)
ON CALENDAR IN ERROR

22. 2000.918C (DiBARTOLO: 558-6291)
1402 GRANT AVENUE, east side between Green and Union Streets; Lot 019 in Assessor's Block 115 --Request for Conditional Use Authorization under Section 303 (e) of the Planning Code to modify Condition #2 as approved in Case 89.540C and Motion 11782, to allow the existing Small Self-Service Restaurant to extend the hours of operation beyond 10 pm to 2 am and to open at 6 am instead of the current 8 am, as permitted in the North Beach Neighborhood Commercial District (NCD) and a 40-X Height and Bulk District.
Preliminary Recommendation: Approval with Conditions

SPEAKER(S): None
ACTION: Approved
AYES: Theoharis, Mills, Baltimore, Chinchilla, Fay, Joe, Salinas
MOTION NO.: 16026

23. 1999.812E (DEUTSCH: 558-5965)
3200 CALIFORNIA STREET- JEWISH COMMUNITY CENTER OF SAN FRANCISCO
Certification of Final Environmental Impact (EIR). Within an RM-1 (Residential, Mixed, Low Density) Zoning District, the Sacramento Street Neighborhood Commercial District, and the 40-X Height and Bulk District, the proposed project would demolish the existing Jewish Community Center (JCC) and the four other structures on the project site (north side of California Street between Presidio Avenue and Walnut Street; Assessor's Block 1021, Lots 5, 6, 24, 25, 28, 29 and 31-37) for the construction of a three-story community center building containing approximately 120,225 gross square feet, excluding parking. The new building would range in height from about 50 to 61 feet. The new building would accommodate JCC community, recreational and educational uses which would be generally a continuation of its current programs. New or expanded space would include an expanded theater/auditorium, additional meeting rooms and classrooms, and a new restaurant and a retail store. The fitness and recreation facilities would be expanded to contain a lap pool, recreational pool and new workout areas. The project would provide up to 181 parking spaces in two below-grade parking levels in an approximately 89,000 gross-square-foot garage. The project includes the establishment of a proposed California Street and Presidio Avenue Community Center Special Use District, and modification of the Height and Bulk District from the current 40-X to a proposed 65-X.
Note: The public hearing on the Draft EIR ended on September 12, 2000. Public comments on the EIR certification only may be presented.
Preliminary Recommendation: Certify Final Environmental Impact Report

SPEAKER(S):

(-) Cynthia Servednick

- Why is it necessary to tear down the existing structure.
- Final EIR should not be certified for three reasons, 1) there are two potentially viable alternatives that have not been explored; 2) Art Deco Society of California has filed an appeal against not granting landmark status to the building; 3) believes that the Special Use District, which been created for California and Presidio only benefit the JCC and not the entire community.

(-) Joseph Breall

- Requests that the Commission not to approve the EIR.
- EIR has not properly addressed both the land use and the housing issues.
- The JCC has properly used the building.

(-) Linda Atwood-Miller

- She doesn't agree with the Commission to certify the EIR.
- There have been findings that do not correlate with the factual information.
- Final Draft failed to address the factual information that had been presented during the course of all these procedures and in regards to the historical value, landmark status of the building.
- There is an proposed alternative project that has not been considered. This proposed alternative provide the solution that could satisfy the needs of all parties, it will be premature to certify the Environmental Impact Report.

(-) Arnie Lerner

- Keep this historic center for uses by seniors citizens, not for profit uses.

(-) Hal Glatzner - Board member to the Art Deco Society

- Delay the certification.

- Seriously explore the proposal to build on what is now a building site that the University has chosen not to use.

ACTION: Certified

AYES: Theoharis, Mills, Baltimore, Chinchilla, Fay, Joe, Salinas

MOTION NO: 16027

24. 1999.812C (LIGHT: 558-6254)
3200 CALIFORNIA STREET - request to adopt California Environmental Quality Act (CEQA) findings and a Statement of Overriding Considerations, as well as the Mitigation Monitoring and Reporting Plan related to the proposed Planning Code Text Amendment, Zoning Map Amendment, and Conditional Use authorization, all of which together will facilitate the replacement of the existing Jewish Community Center of San Francisco building and four adjacent structures with a new Jewish Community Center building.
 Preliminary Recommendation: Adoption of Draft Resolution

Items 24 through 27 were called together.

SPEAKER(S):

Joshua Steinhauser - Coblenz, Patch, Duffy and Bass, Representing Project Sponsor

(+) Nate Levine

- The Jewish Community Center is a dynamic institution that serves all San Franciscans.
- The proposed site is essential for their survival.
- They have modified and re-modified the design of the building, taking into consideration the concerns and issues of the surrounding neighbors.
- He is very happy with the support received from the neighborhood.

(+) Kevin Hart - Project Architect - Gensler and Associates

- Gave an overall description of the project

(+) Sandy Blackman

- She is familiar with all the needs of the center.
- The design of the new center has been a long and involved process.
- The new building will provide a wonderful resource to the people of San Francisco.

(+) Nina Madeline - Menorah Park

- The seniors from the Menorah Park center will benefit greatly from the new JCC since it will provide lunch service and activities.

(+) Rick Mariano - Owner of the Laurel Inn

- His building has been there for more than 30 years.
- The JCC has been a wonderful neighbor.
- He is very excited that this project is finally moving forward.
- His daughter went to the JCC kindergarten center.

(+) Ron Blackman

- He urges the Commission to approve the JCC project.
- People like himself who have young children need a place like this to be able to take their children and be able to stay in the City.

(-) Ron Miguel - President of the Planning Association of the Richmond

- He is happy with the decision the Commission made a few weeks ago to not designate the old JCC building a landmark.
- He doesn't believe that there is any viable alternative to the new building.

- Programs are more important than the building.
- This new facility is important for the JCC to succeed.

(-) Teresa LaQuey

- It's a shame that bits of the City are being chipped away.
- The JCC should try to find a way to remain in the current building.

(-) Lorie Gordon

- She is a member of the Jewish community and a member of the Art Deco Society.
- She agrees that the JCC should expand its services, yet the JCC should find another place to construct a building.
- She would like to see the new construction across the street and be able to use the current building for another use and therefore not demolish it.

(-) Hal Glatzner

- Everyone wants the JCC to expand and construct the building across the street.
- Urge the Commission to postpone making a final decision.

(-) Joseph Breall

- You cannot Ellis Act condominium units.
- If conditional use is granted and we opposed the eviction, the JCC will use a different eviction, an eviction based in demolition.
- Postpone the project.
- How can a gymnasium replace a housing unit in this City, which is having the greatest housing problems in the entire nation?

(-) Cynthia Servednick

- Would like to see the USF, JCC and the community to get together and look at this realistically, and see if there are another alternatives.

ACTION: **Approved**
AYES: **Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis**
RESOLUTION NO. **16028**

25. 1999.812T (LIGHT: 558-6254)
3200 CALIFORNIA STREET - request for approval of Planning Code Text Amendment to create a new California Street and Presidio Avenue Community Center Special Use District (California/Presidio SUD) which will facilitate the replacement of the existing Jewish Community Center of San Francisco building and four adjacent structures with a new Jewish Community Center building.
Preliminary Recommendation: Adoption of Draft Resolution

SPEAKER(S): **Same as item #24**
ACTION: **Approved**
AYES: **Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis**
RESOLUTION NO. **16029**

26. 1999.812Z (LIGHT: 558-6254)
3200 CALIFORNIA STREET - request for approval of Zoning Map Amendment to designate a new California Street and Presidio Avenue Community Center Special Use District (California/Presidio SUD) which will facilitate the replacement of the existing Jewish Community Center of San Francisco building and four adjacent structures with a new Jewish Community Center building.
Preliminary Recommendation: Adoption of Draft Resolution

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SAN FRANCISCO PLANNING COMMISSION

Meeting Minutes

Board of Supervisors Chambers - Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, November 16, 2000

1:30 PM

Regular Meeting

DOCUMENTS DEPT.

FEB 16 2001

SAN FRANCISCO
PUBLIC LIBRARY

PRESENT: Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis

ABSENT: None

THE MEETING WAS CALLED TO ORDER BY PRESIDENT THEOHARIS AT 1:34 P.M.

STAFF IN ATTENDANCE: Gerald G. Green - Director of Planning; Larry Badiner - Zoning Administrator; Kelly Le Blanc, Steve Shotland, Joan Kugler, Alison Borden, Dan Sider, Susan Snyder, Jim Miller, Thomas Wang, Lesley Buford, Andrea Wong, Mary Woods, Patricia Gerber - Transcription Secretary; Linda D. Avery - Commission Secretary

A. ITEMS PROPOSED FOR CONTINUANCE

1. 2000.964DDDD(MEHRA: 558-6257)

250 SEA CLIFF AVENUE , Building Permit Application No. 200006213244, Case No. 2000.964D, for the property at, Lot 1M on Assessor's Block 1307. The proposal is to construct a one-story addition--391 sq. ft. in size--on the second floor on an existing deck adjacent to the master bedroom suite, above the garage on the east side of the property. The addition will accommodate an exercise and dressing room and will not encroach into the required rear or side yards. This property is in an RH-1(D) (Residential, House, Single-family detached) district and a 35-X Height and Bulk district.

Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted

(Proposed for Continuance to December 14, 2000)

SPEAKER(S): None

ACTION: Continued as proposed

AYES: Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis

2. 2000.887C (YOUNG: 558-6346)

929 MARKET STREET, south side between 5th and 6th Streets; Lots 064, 074, 075 in Block 3704: -- Request for Conditional Use Authorization pursuant to Section 219 of the Planning Code to establish office use at the second story level of an existing commercial building within an C-3-R(Downtown Retail) District and 120-X Height and Bulk District.

Preliminary Recommendation:

(Proposed for Continuance to December 14, 2000)

SPEAKER(S): None
ACTION: Continued as proposed
AYES: Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis

3.1997.379E (NAVARRETE: 558-5975)

386 ALABAMA STREET: Appeal of a Negative Declaration - The proposal is to construct three buildings on a 49,700 square-foot lot bounded by Alabama, 16th, 17th and Harrison Streets (Assessor's Block 3967, Lot 1). The site is currently vacant and has several addresses on record: 386 Alabama Street, 2625 16th Street, 2001 Harrison Street, 2051 Harrison Street, and 2095 Harrison Street. The project would include a total of 64 live/workunits, 9 retail/commercial spaces, and parking for 84 cars. There would be a total of approximately 15,834 square feet of commercial space, about 53,340 square feet of parking, and 83,159 square feet of live/work space. The total size of the three buildings combined would be approximately 153,400 square feet. Each building would have a loading space and a separate garage entrance and exit. There would be garage access on 16th, Harrison, and 17th Streets. The main pedestrian entrances and loading would be on Alabama Street. The new buildings would be approximately 50 feet in height and would cover the entire lot. This proposed project is located in an M-1 (Light Industrial) zoning district. It is also within the Industrial Protection Zone (IPZ) adopted by the Planning Commission as an interim zoning control. However, the building permit applications were submitted in 1998 and is a "grand fathered project" under Planning Commission Resolution No. 14861.

Preliminary Recommendation: Pending
(Proposed for Continuance to December 14, 2000)

SPEAKER(S): None
ACTION: Continued as proposed
AYES: Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis

4. 2000.641E (NAVARRETE: 558-5975)

1047 MISSISSIPPI STREET The proposal is to demolish the existing 1,500 square foot one-story structure and construct a 14,500 square foot, three-story building, with nine live/work units and 11 parking spaces. The building would be approximately 40 feet in height. The project site is located in an M-1 zoning district, within a 40-X height/bulk district, as well as within an Industrial Protection Zone (IPZ) Buffer, adopted by the Planning Commission as an interim zoning control. Conditional Use authorization would be required for live/work use in the IPZ Buffer.

Preliminary Recommendation: Pending
(Proposed for Continuance to December 14, 2000)

SPEAKER(S): None
ACTION: Continued as proposed
AYES: Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis

5. 2000.877D

(DAVIDSON: 558-6363)

240 - 16TH AVENUE, north side between California and Clement Streets, Lot 037 in Assessor's Block 1418. Request for Discretionary Review for Building Permit Application No. 2000/07/25/6060. The proposal would add a four-story addition to the rear of the existing single family dwelling, and reconfigure the building interior to create a second living unit in an RH-2 (Residential, House, Two-Family) Dwelling and a 40-X Height and Bulk District.

Preliminary Recommendation: Take Discretionary Review and approve the building permit with modifications.
(Proposed for Continuance to December 7, 2000)

SPEAKER(S): None
ACTION: Continued as proposed
AYES: Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis

6a. 2000.987BCXV (MILLER: 558-6344)

530 FOLSOM STREET, (AKA 41 Clementina Street), northeast corner at Ecker Street, between First and Second Streets, Lot 17 in Assessor's Block 3736 - Request for authorization of a **CONDITIONAL USE** for approximately 6,000 square feet of **OFFICE SPACE AT OR BELOW THE GROUND FLOOR** and not offering on-site services to the general public and for **OFF-STREET PARKING EXCEEDING ACCESSORY AMOUNTS** (20 spaces where 15 are permitted), in conjunction with conversion of live/work units to approximately 46,000 square feet of office space, requiring review under Planning Code Sections 309 and 321 (also requiring a Variance of Planning Code

standards for open space), in a C-3-S (Downtown Support) District and a 200-S Height and Bulk District.

Preliminary Recommendation: Approval

(Proposed for Continuance to December 7, 2000)

SPEAKER(S): None

ACTION: Continued as proposed

AYES: Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis

6b. 2000.987BCXV (MILLER: 558-6344)

530 FOLSOM STREET, (AKA 41 Clementina Street), northeast corner at Ecker Street, between First and Second Streets, Lot 17 in Assessor's Block 3736 -- in a C-3-S (Downtown Support) District and a 200-S Height and Bulk District (Lots 61 and 62). DOWNTOWN OPEN SPACE VARIANCE SOUGHT: The proposal is to substitute an in lieu monetary contribution to the City's Folsom Boulevard streetscape project for usable open space improvements along Folsom Street approved (but not yet emplaced) as part of the live/work project currently under construction on the site (and proposed for conversion to office space).

(Proposed for Continuance to December 7, 2000)

SPEAKER(S): None

ACTION: Continued as proposed

AYES: Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis

7. 2000.270C (BRESSANUTTI: 575-6892)

535-537 VALENCIA STREET - east side between 16th and 17th Streets; Lot 044 in Assessor's block 3569: Request for Conditional Use authorization to (1) allow continued operation of an existing large (over 1,000 squarefeet) fast food restaurant, presently d.b.a. "Cable Car Pizza", per Section 726.43 of the Planning Code, and (2) to extend the hours of operation from 2:00 a.m. to 3:00 a.m., per Section 726.27, in the Valencia Street Neighborhood Commercial District and a 50-X Height and Bulk District.

Preliminary Recommendation : None

(Continued from Regular Meeting of November 9, 2000)

(Proposed for Continuance to December 7, 2000)

SPEAKER(S): None

ACTION: Continued as proposed

AYES: Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis

8. 1999.690E (BUFORD: 558-5973)

3000 THIRD STREET - Assessor's Block 4315, Lots 8 & 13; **Appeal of Preliminary Negative Declaration.** The proposal is to demolish the existing 11,000 square feet building and construct a three-story, 225,000 square feet building with 145 parking spaces. The building wouldconsists of 150,000 square feet of light industrial space on the second andthird floors. The ground floor would consist of a cafe that is 3,900 squarefeet and 13,000 square feet of retail. The majority of the new building wouldbe at a height of 60 feet with the exception of the 10 x 10 parapet and clocktower on the southwest corner of the building, where the highest point ofthe tower would be approximately 80 feet in height. The vehicular accessto the parking lot would be from Cesar Chavez Street and 26th Street. Theproject would replace an existing two-story vehicle maintenance and officebuilding. The majority of the site was is currently used as equipment storageand parking for buses and vans. The project site is located within the M-2(Heavy Industrial) zoning district and within the 80-E Height and Bulk district.

Preliminary Recommendation: Uphold Preliminary Negative Declaration

(Continued from Regular Meeting of November 2, 2000)

(Proposed for Continuance to December 7, 2000)

SPEAKER(S): None

ACTION: Continued as proposed

AYES: Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis

9. 2000.884D (PURVIS: 558-6354)

688 POWHATTAN AVENUE, Appeal of a determination of compatibility, pursuant to Planning Code Section 242 (e)(6)(B), of Building Permit Application No. 2000/04/04/6293, to construct a 3-story, single-family dwelling at a height of 30 feet and with two off-street parking spaces. The project site is within an RH-1 (Residential, House, One-Family) District, with a 40-X Height and Bulk designation and is within the Bernal Heights Special Use District.

Preliminary Recommendation: Take Discretionary Review and approve project with modifications
(Continued from Regular Meeting of October November 2, 2000)

(Proposed for Continuance to December 7, 2000)

SPEAKER(S): None

ACTION: Continued as proposed

AYES: Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis

C. COMMISSIONERS' QUESTIONS AND MATTERS

10. Consideration of Adoption - draft minutes of 10/12/00 and 10/19/00

SPEAKER(S): None

ACTION: Approved

AYES: Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis

11. Commission Matters

Mills: Open Space along the eastern part of the City

Schedule for 1st. Hearing in January, 2001

D. DIRECTOR'S REPORT

12. Director 's Announcements.

Apologized about not having the presentation nor the right language ready, regarding the Job Housing Linkage.

13. Review of Past Week 's Events at the Board of Supervisors & Board of Appeals.

BOA: 2412 Harrison Street - Uphold Planning Commission 's decision by a vote +5 -0.

673 Brannan - Uphold Planning Commission 's decision by a vote of +4 -1

BOS: None

14. 1998.497B (LeBLANC: 558-6351)

Report on art proposal for 215 Fremont Street. The project was approved on August 10, 2000 in Motion No. 15939.

SPEAKER(S): None

ACTION: No action required

AYES: Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis

15. 1998.766BX (LeBLANC: 558-6351)

Report on revised art proposal for 535 Mission Street. The original project was approved on April 13, 2000 in Motions Nos. 15026 and 15027.

SPEAKER(S): None

ACTION: Without hearing, continued to 12/14/00

AYES: Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis

E. REGULAR CALENDAR

16. 1999.178ET: JOBS-HOUSING LINKAGE PROGRAM (GREEN: 558-6411)

CONSIDERATION OF INITIATING AMENDMENT OF THE PLANNING CODE AND CONSIDERATION OF BOARD OF SUPERVISORS ORDINANCE NOS. 00276 AND 00277; Amending Sections 313 through 313.14, and by adding 313.15, to rename the OFFICE AFFORDABLE HOUSING PRODUCTION PROGRAM as the JOBS-HOUSING LINKAGE PROGRAM, to apply the program to all new and expanded hotel space of at least 25,000 square feet, to all new and expanded entertainment space of at least 50,000 square feet, and to all new and expanded retail space of at least 100,000 square feet.

Preliminary Recommendation :

SPEAKER(S): None

ACTION: Continued to 12/7/00

AYES: Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis

17. 1999.771ET (SHOTLAND: 558-6308)

SOUTH OF MARKET BILLBOARD AMENDMENT, Consideration of a proposal to INITIATE an AMENDMENT to Part II, Chapter II of the San Francisco Municipal Code (Planning Code) which would amend Articles 6 and 8 to clarify that general advertising signs are not permitted in South of Market Districts, except in the South of Market General Advertising Special Sign District.
Preliminary Recommendation: Initiate Proposed Amendment and Schedule a public hearing on December 7, 2000.

SPEAKER(S): None

ACTION: Initiated

AYES: Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis

MOTION NO. 16032

18. 2000.998TZ LORD (558-6311)

NOE-EUREKA VALLEY SPECIAL USE DISTRICT, Consideration of a proposal to amend Part II, Chapter II of the San Francisco Municipal Code (Planning Code) by adding Section 245 to create the Noe-Eureka Valley Special Use District for the property within the area generally bounded by 18th Street to the north; Dolores Street to the east; 30th and Clipper Street to the south; Douglass Street and Grand View Avenue to the west. The Noe-Eureka Valley Special Use District will place additional restrictions on residential building heights, rear yards, design and unit mergers by amending Planning Code Sections 102, 132, 134, and 252.1 to reflect and cross-reference the provisions of Section 245.

Preliminary Recommendation: The Commission takes no action on the initiated ordinance and reports to the Board of Supervisors on important planning issues as recommended considerations prior to Board action. These important planning issues are contained in a Draft Planning Commission Resolution that is recommended for adoption by the Planning Department staff.

SPEAKER(S): None

ACTION: Continued Indefinitely

AYES: Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis

19. 2000.999TZ LORD (558-6311)

GLEN PARK SPECIAL USE DISTRICT, Consideration of a proposal to amend Part II, Chapter II of the San Francisco Municipal Code (Planning Code) by adding Section 245.1 to create the Glen Park Special Use District for the property within the area generally bounded by 30th Street to the north; San Jose Avenue to the east; Bosworth Street to the south; Elk Street and Diamond Heights Boulevard to the west. The Glen Park Special Use District will place additional restrictions on residential building heights, rear yards, design and unit mergers by amending Planning Code Sections 102, 132, 134, and 252.1 to reflect and cross-reference the provisions of Section 245.1.

Preliminary Recommendation: The Commission takes no action on the initiated ordinance and reports to the Board of Supervisors on important planning issues as recommended considerations prior to Board action. These important planning issues are contained in a Draft Planning Commission Resolution that is recommended for adoption by the Planning Department staff.

SPEAKER(S): None

ACTION: Continued Indefinitely

AYES: Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis

20. (MALTZER: 558-6391)

ADOPTION OF NEW POLICIES REGARDING OFFICE USE AND CONVERSION OF LIVE/WORK (LOFT HOUSING) WITHIN INTERIM INDUSTRIAL PROTECTION ZONES AND MIXED USE HOUSING ZONES - Consideration of adopting new policies to discourage office development and to further discourage the conversion of live/work to office within the Interim Controls boundary area. These new policies are to supplement existing policies previously adopted August 5, 1999 (CPC Res. 14861).

Preliminary Recommendation: Adopt Resolution creating new Policies within Interim Zones (Continued from Regular Meeting of November 9, 2000)

SPEAKER(S): None

ACTION: Continued to 12/7/00

AYES: Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis

21. 2000.1007T (LORD: 558-6311)

LIVE-WORK TO LOFT HOUSING AMENDMENT -Consideration of amendments to Part II, Chapter II, of the San Francisco Municipal Code (Planning Code) by amending Sections 102.7 and 102.13 to redefining live/work units as loft housing and classifying them as residential uses; repealing Section 233 regarding live/work; adding Section 232 to establish requirements for loft housing that would subject it to existing live/work controls except that there would be no restriction on the nature of work which could be performed in the unit so long as the use is permitted in the SSO (Service/Secondary Office) Zoning District and no requirement that the occupant(s) work in the unit, would establish density standards, would require loft housing to comply with existing inclusionary housing policies, would require loft housing in residential areas to comply with all requirements for residential uses including the residential design guidelines, would require loft housing constructed in areas not zoned residential to comply with non-residential design guidelines and all requirements for residential uses except for height, front setback and open space requirements, would establish procedures for converting live/work units to non-residential uses, and would establish loft housing rear yard standards; states that this ordinance supersedes any inconsistent planning commission policies.

Preliminary Recommendation: Adopt the Draft Ordinance
(Continued from Regular Meeting of November 2, 2000)

SPEAKER(S): None

ACTION: Continued to 12/7/00

AYES: Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis

22. 2000.474E

(KUGLER: 558-5983)

1001 17TH STREET, Appeal of a Preliminary Negative Declaration. The proposed project is located at the southwest corner of 17th Street and Pennsylvania Avenue in the northern portion of the Potrero Hill Neighborhood (lots 9 & 10 of Assessor's Block 3987). The project would remove an existing single-story warehouse with office mezzanine and adjacent storage yard and would construct a new four-level over basement, 50-foot tall, commercial building of approximately 68,290 sq.ft. for business service use with retail on the ground floor. The site has an approximate area of 15,361 sq. ft.. The building entrance and access to the 57 spaces of parking (50 independently accessible and 7 tandem) in the ground and basement levels would be from Pennsylvania Avenue while the loading dock entrance would be off 17th Street. Along with about 37,000 sq.ft. of commercial/business service uses the building would contain about 2,550 sq.ft. of retail space and about 28,740 sq.ft. of parking/building service area. The proposed building would be constructed to cover the entire site. The site is zoned M-2 with a 50-X Height/Bulk District.

Preliminary Recommendation: Uphold Preliminary Negative Declaration
(Continued from Regular Meeting of October 12, 2000)

SPEAKER(S):

(+) Alice Barkley, representing Project Sponsor

- Submitted letter to Commission on 10/18 on behalf of the Project Sponsor
- Negative Declaration should be affirmed and Appeal denied

(+) Manny Flores

- Project should be approved

ACTION: Upheld Negative Declaration

AYES: Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis

MOTION NO. 16033

23. 1997.433A

(KOMETANI: 558-6478)

22 ALTA STREET, north side between Montgomery and Sansome Streets. Lot 34A in Assessor's Block 106 --Request for Certificate of Appropriateness authorization, under Article 10 of the Planning Code, to construct a new, one-unit, residential building, two-stories at the front (Alta Street) elevation and five-stories at the rear in the Telegraph Hill Historic District. The subject property is zoned RH-3 (House, Three-Family) District and is in a 40-X Height and Bulk District.

Preliminary Recommendation: Approval

(Continued from Regular Meeting of October 19, 2000)

SPEAKER(S): None

ACTION: Continued to 12/1400

AYES: Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis

24. 2000.817B (WONG: 558-6381)

2550 CESAR CHAVEZ STREET, north side, near the intersection of Vermont Street; Lot 016 in Assessor's block 4329 - Request under Planning Code Section 321 for authorization to convert 33,500 gross square feet in the building from industrial use to office use and to create an additional 10,000 gross square feet of office use for a total of 43,500 gross square feet. The subject property falls within a M-1 (Light Industrial) Zoning District and a 50-X/65-J Height and Bulk District. It also lies in the Industrial Protection Zone of the Industrial Land Interim Zoning Controls.

Preliminary Recommendation: No Recommendation

(Continued from Regular Meeting of October 26, 2000)

WITHDRAWN

25. 2000.724C (WONG: 558-6381)

1104 YORK STREET, west side, between 23rd and 24th Streets, Lot 038 in Assessor's Block 4209, a request for conditional use authorization for the continuance for a nonconforming use. This is for a metal fabrication business in an RM-1 Zoning District and 40-X Height and Bulk District.

Preliminary Recommendation: Approval with Conditions

SPEAKER(S):

(+) Steve Lisko, Project Sponsor

- Parking is one of the key issue on the area

- 23rd Street is a driveway

- Concerned about 4 year conditional use permit

- Strongest desire to keep their business at the present location

ACTION: Approved with revised conditions for a conditional use to 8yrs.

AYES: Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis

MOTION NO. 16034

26. 2000.291CZ (WOODS: 558-6315)

1062 OAK STREET, north side, between Divisadero and Scott Streets, Lot 19 in Assessor's Block 1216- Request to amend the Planning Code Zoning Map to reclassify a portion of Lot 19 from an RH-3 (Residential, House, Three-Family) District to an NC-2 (Small-Scale Neighborhood Commercial) District. Currently, the northern portion of Lot 19 (trapezoidal-shaped of approximately 113 feet wide by 82 feet deep) is zoned RH-3 and is in a 40-X Height and Bulk District; the southern portion of Lot 19 (a narrow strip of approximately 25 feet wide by 90 feet deep) is zoned NC-2 and is in a 65-A Height and Bulk District. The proposal is to reclassify the RH-3 portion of the lot 19 to NC-2 to allow the expansion of an existing car wash (Touchless Car Wash). The Height and Bulk District of the reclassified portion of Lot 19 would remain 40-X.

The project sponsor, on November 8, 2000, has modified the proposal to reclassify only the northwest portion of lot 19, approximately 4,300 square feet, from RH-3 to NC-2 zoning district. Original Preliminary Recommendation: Adoption of the Draft Resolution for Reclassification.

NOTE: On August 24, 2000, after public testimony, the Commission closed public comment and continued the matter to September 14, 2000 to allow the project sponsor time to meet with neighborhood groups and develop modifications to the project. Public comment will be re-opened to address proposed modifications only.

(Continued from Regular Meeting of November 2, 2000)

SPEAKER(S):

(+) Troy Suchmacher, Project Sponsor

- Project deserve approval

(+) Harry O'Brien

- Conditions needs to be specific about what needs to be done before the expansion takes place

- Specific requirement that the project sponsor submit, before the cuing area be use a report reviewing the status of those conditions and how they been satisfied

- Conditions of approval include: a new soundwall along the eastern edge of the property, a new

landscaping and barriers at the sidewalk edging, 25 foot clear zone at the Oak Street side ____, traffic monitors, weekly steam street cleaning of the sidewalks, and very important commitment to work with Ella Hills Hutch Community Center to increase the neighborhood employment

- Eliminated all commercial floor area focused on residential development
- Project Sponsor and neighborhood work very hard to come to an agreement on revision to the project, that we think will make a better project

(-) Patricia Vaughey

- Monitors at least specified clearly, they should not only be for the Oak Street side but also to keep the two Divisadero Exits clear
- Concerned the memo of understanding, between Ella Hills Hutch Community Center on 1984, 1985, 1992, 1994, 1997 and 1998
- MOUs were never signed
- Another issue is enforcement of conditional of approvals
- Neighbors do not approve this project
- This project need to be denied

(-) Valerie Hartwell

- Commending the project sponsor for negotiating with the neighborhood
- They can make all improvements without expanding

ACTION: Approved

AYES: Chinchilla, Fay, Joe, Mills, Salinas, Theoharis

EXCUSED: Baltimore

MOTION NO. 16035

27. 2000.291CZ (WOODS: 558-6315)

444 DIVISADERO STREET AND 1052-62 OAK STREET, northeast corner of Oak and Divisadero Streets, Lots 5, 17, 18 and 19 in Assessor's Block 1216 - Request for Conditional Use Authorization under Sections 186.1, 209.7, 303, 304 and 711.59 of the Planning Code to permit a Planned Unit Development for the expansion of an existing car wash (Touchless Car Wash) in an NC-2 (Small-Scale Neighborhood Commercial) District within 65-A and 40-X Height and Bulk District.

Original Preliminary Recommendation: Approval with conditions.

NOTE: On August 24, 2000, after public testimony, the Commission closed public comment and continued the matter to September 14, 2000 to allow the project sponsor time to meet with neighborhood groups and develop modifications to the project. Public comment will be re-opened to address proposed modifications only.

(Continued from Regular Meeting of November 2, 2000)

SPEAKER(S):

ACTION: Approved

AYES: Chinchilla, Fay, Joe, Mills, Salinas, Theoharis

EXCUSED: Baltimore

MOTION NO. 16036

28. 2000.572C (BORDEN: 558-6321)

2543 NORIEGA STREET, southeast corner of 33rd Avenue and Noriega Street; Lot 10 in Assessor's Block 2069 -- Request for Conditional Use authorization to allow the installation of three antennas, all at the roof of the existing building, and five equipment cabinets at the first floor, as part of a wireless telecommunications network operated by Sprint PCS, pursuant to Planning Code Section 711.83, in the NC-2 (Small-Scale Neighborhood Commercial) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Approval with conditions.

SPEAKER(S):

(+) Robert Cribbs, Project Sponsor Representing Sprint PCS ____

- This conditional use petition comply with both the WTS Guidelines and the San Francisco Municipal code

- It is necessary to provide reliable service to the area

ACTION: Approved

AYES: Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis

MOTION NO. 16037

29. 2000.960C (SIDER: 558-6697)

501 DOLORES STREET, southeast corner of 18th Street; Lot 046 in Assessor's Block 3587: Request for Conditional Use Authorization to allow an entertainment use on the first floor of the subject structure, pursuant to Planning Code Section 710.48 in an NC-1 (Neighborhood Commercial Cluster) District with a 40-X Height and Bulk designation. The proposal is to conduct performances at the Dolores Park Cafe of non-amplified music, singing, and poetry-readings. No physical changes are to be made to the structure. Preliminary Recommendation: Approval with conditions

(+) Jerry Klein, representing Project Sponsor

- Project should be approve

ACTION: Approved

AYES: Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis

MOTION NO. 16038

F. SPECIAL DISCRETIONARY REVIEW HEARING

At Approximately **4:38 P.M.** the Planning Commission convened into a Special Discretionary Review (DR) Hearing to hear and act on Discretionary Review matters.

30a. 2000.779D (S.SNYDER: 558-6543)

746 CAROLINA STREET, on the west side of Carolina Street, between 20th and 22nd Streets, on Lot 5 of Assessor's block 4096, proposing to construct a new two-family dwelling on a vacant lot in an RH-2 (Residential, House, Two-family) District, and a 40-X Height and Bulk District.

Preliminary Recommendation: Approval

SPEAKER(S):

(+) Charlie Burnett, Architect and Co-Owner

- Lot is 2500 square feet
- Proposed building is two unit
- Keeping low as possible, beneath the cliff
- get light and air over the window
- 28 ft 6 inches above grade
- Height is well within the character of neighborhood
- Do not have leisure to pull building from the back away from the cliff, as the neighbor from the south had
- Meet parking requirements
- Height in comparison with other buildings, feels that are well within the pattern on the street, - Shadow study showing that his building is on the shade
- Plans shows building to their south, which is 752 Carolina Street, blocking their view

(+) Clay Napper

- Building itself set back from the street
- Building fit within the character of the rest of the neighborhood

(+) Neil Short

- In term of good neighbor policy the project right now has two major assests
- Improve the street at the pedestrian level,
- Addition or facade of the bay windows, the inclusion of stair case as supposed to the neighbor from the other side, where is only a garage opening, actually makes that street more inviting on walking on that side of the street

(-) Daniel Conrad

- Live across the street from the proposed project
- Large scale, giant building
- Will block his light and view
- It is out of character

(-) Dale Friedman

- Concurred with all the remarks his neighbor made
- Misleading the Commission regarding the scale
- Would block his sunlight from the north

- Encourage proponent to meet with neighbors
- Distinctive in violating Proposition M and neighborhood guidelines
- Not other building on the street is this size
- (-) **Ira Dotter**
 - Friendly neighborhood
 - Sunny northern exposure all year around
 - Destroy the beautiful ambient of his home
 - Out of scale with the neighborhood
 - Ugly massive eye sore
- (-) **unknown speaker**
 - Particular concerned about the excavation for the garage and the foundation
 - Proposed building is very tall
 - Does not comply with the design guidelines
 - Preserve the sunlight and character of the neighborhood
 - Building is brutal
 - Good example of what you see in the design guidelines it says "do not do this "
- (-) **Douglass Coward**
 - Design is grossly out of scale
 - Design could be modified
- (-) **Unkown speaker**
 - lost of light, air and privacy
 - project sponsor didn 't contact her
 - Plans should be revised
 - Concerned about the permit request
 - Considered a lower structure and redesign
- (-) **Erick _____**
 - at no point during this process nobody has contact him regarding this project
 - fundamental concerns _____
 - No assurance thru study what would happen to his property regarding the excavation.
 - Consider the negative impact that will bring to the neighborhood
 - with this structure all sunlight will be eliminated
 - Further dialogue is needed
- (-) **____ Chin**
 - scale is out proportion
 - scale back
- (-) **Jack _____**
 - is massive building

ACTION:

AYES: Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis

30b. 2000.779V (S.SNYDER: 558-6543)

746 CAROLINA STREET, on the west side of Carolina Street between 20th and 22nd Streets, on Lot 5 of Assessor's Block 4096 in an RH-2 (Residential House, Two-Family) District. FRONT SETBACK VARIANCE SOUGHT: The proposal is to construct a new two-family dwelling on a vacant lot.

SPEAKER(S):**ACTION:**

AYES: Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis

31. 2000.1109D (MIRAMONTES: 558-6348)

519 - 17TH AVENUE, between Anza and Balboa Streets, Lot 005 in Assessor's Block 1560. Request for Discretionary Review for Building Permit Application No. 2000/08/14/7768. The proposal is to fill in on the ground level below an existing rear extension and to construct a two-story addition (approximately 9 feet deep by 16 feet wide) at the rear of this extension to a single-family home in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Take Discretionary Review and approve the building permit application with modifications.

DISCRETIONARY REVIEW WITHDRAWN

32. 2000.1029D (WONG: 558-6381)

481 ARKANSAS STREET, Request for Discretionary Review for Building Permit Application No. 200003245373 for the property at 481 Arkansas Street, Lot 012A in Assessor's Block 4068. The proposal is to add one dwelling unit to an existing single family, two-story residence by constructing a one floor plus penthouse vertical addition. The subject property falls within a RH-2 (Residential, Two-family) Zoning District and a 40-X Height / Bulk District.

Preliminary Recommendation: Take Discretionary Review and approve the project with modifications.

SPEAKER(S):

(+) ____ Project Sponsor

- Request for a continuance

ACTION: Continued to 1/18/01

AYES: Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis

33. 2000.1018D (MILLER: 558-6344)

1 LA AVANZADA STREET --Sutro Tower, (also known as 1 and 250 PALO ALTO AVENUE), Lot 3 in Assessor's Block 2724 --Planning Commission-initiated Discretionary Review of Building Permit Application No. 2000-08-18-8285 for installation of a five-foot 11-inch diameter satellite dish antenna on the roof of the existing transmitter building, a transmission line from the antenna into the building, digital audio broadcast equipment in existing transmitter building for Sirius Satellite Radio, and interior partitions in the building, at the existing SUTRO TOWER broadcast facility, in an RH-1(D)(House, One-Family Detached Dwellings) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Approval with Conditions

SPEAKER(S):

(+) Christine Linenbach

- concerned about broadcast ____

- satellite that transmit to people

- representation

- clarification

- Commission ruling should be made

- No study, from project sponsor

- some of the neighbors didn't get a notification

(+) Walter Kaplan

- lived there for 20 years

- department is losing some of its institution

- Cu was authorized ____

- CU statement in 1966 substantiated ____

- Definitions relevant what there putting there ____

- In 1988 the Commission ____

- Zoning require ____

- Only that could be there

- Exclude other uses

(-) Bob McCarthy

- Existing situation, in 8/00 - currently the antenna

- add a satellite dish

- broadcasting in a experiment ____ since 1988

- 77 inches height ____

(-) Debra Stein

ACTION:

AYES: Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis

34. 2000.1135D (MILLER: 558-6344)

1 LA AVANZADA STREET --Sutro Tower, (also known as 1 and 250 PALO ALTO AVENUE), Lot 3 in Assessor's Block 2724 --Planning Commission-initiated Discretionary Review of Building Permit Application No. 2000-10-27-4313 --Replacement of existing 80-pound antenna with new, smaller 40-pound antenna on ThirdLevel of Tower, +/-380 in height, and installation of a new transmissionline from the second level of the existing transmitter building to theThirdLevel of the Tower for Sirius Satellite Radio, at the existing SUTRO TOWERbroadcast facility, in an RH-1(D) (House, One-Family Detached Dwellings)District and a 40-X Height and Bulk District.
Preliminary Recommendation: Approval with Conditions

35. 2000.789D (WANG: 558-6335)

501 NOE STREET , Lot 076, in Assessor's Block 3584. Request for Discretionary Review for Building Permit Application No. 9917044. The proposal would demolish theexisting detached garage, convert the existing ground floor to a new garageand construct a two-story vertical addition, including an in-fill of thespace left by the demolished garage, to the existing two-story, three-familydwelling in an RH-3 (Residential, House, Three-Family) District and a 40-XHeight and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted

SPEAKER(S):

(+) Steve Williams

- is not alike other projects in SF
- Demo. Permit
- a very small units
- let them make the findings
- demographic
- RH-3 neighborhood
- current lot is very small
- this plan violate the _____
- clearly violate the residential design guidelines
- will be largest building on the street
- light and air will be block for neighbors
- Proposed building is out scale
- why a variance is needed to build _____
- Urge to take Discretionary Review

(+) Roger Wong

- affordable housing
- (-) _____, DR Requestor**
- building that is been proposed
 - is very massive, very imposive
 - blocking sunlight
 - wind tunnel
 - proposal for different type of decks, opening light space as well turning one of the den into a deck, this will quite _____
 - 18th facade
 - developer to meet with neighbors
 - parking situation
 - very congested area during rush hour

(+) _____

- massive over scale building in the City
- very upscale neighborhood
- implication withthe context of the report
- parking issues

(-) Alice Barkley, Project Sponsor

- existing bldg is substandar building
- after retrofitting buidlign would be only 1-story tall
- As far as the allegation about affordable housing
- Subsidized housing not affordable to very low income
- Rear yard of this building

- minimum impact on light and air

(-) Robert Spiers

- excited about this building
- there some misleading informationg
- highly support the project

(-) John _____

- Asset to the neighborhood

(-) David _____

- preserving affordable housing
- urge to approve project

() unknow speaker

- affordable housing

() Joe O 'Donoghue

-

ACTION:

AYES: Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis

G. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

"The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:


- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

Adjournment: **6:56 p.m.**

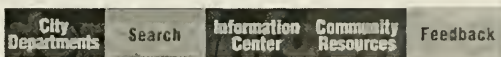
Adjournment: p.m.

THE DRAFT MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY,

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SAN FRANCISCO PLANNING COMMISSION

Meeting Minutes

Board of Supervisors Chambers - Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, December 7, 2000

3:35 PM

Regular Meeting

DOCUMENTS DEPT

FEB 15 2001

SAN FRANCISCO
PUBLIC LIBRARY

PRESENT: Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis

THE MEETING WAS CALLED TO ORDER BY PRESIDENT THEOHARIS AT 3:35 P.M.

STAFF IN ATTENDANCE: Gerald G. Green - Director of Planning; Larry Badiner - Zoning Administrator; Patricia Gerber, Executive Secretary; Andrea Green - Acting Commission Secretary

A. ITEMS PROPOSED FOR CONTINUANCE

1. 2000.385C (SANCHEZ: 558-6679)
2001 UNION STREET, southwest corner at Buchanan Street; Lot 024 in Assessor's Block 0541: Request for Conditional Use authorization pursuant to Section 725.83 of the Planning Code to install a total of eight antennas on the existing rooftop penthouses and an equipment shelter on the second-floor of the existing six-story mixed-use building as part of Nextel's wireless telecommunications network within the Union Street Neighborhood Commercial District (NCD) and a 40-X Height and Bulk District. As per the City & County of San Francisco's Wireless Transmission Services (WTS) Facilities Siting Guidelines the proposal is a Preference 2 (co-location site).
Preliminary Recommendation: None
(Proposed for Continuance to December 14, 2000)

SPEAKER(S) None

ACTION: Continued as proposed

AYES: Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis

2. 2000.270C (BRESSANUTTI: 575-6892)
535-537 VALENCIA STREET - east side between 16th and 17th Streets; Lot 044 in Assessor's block 3569: Request for Conditional Use authorization to (1) allow continued operation of an existing large (over 1,000 square feet) fast food restaurant, presently d.b.a. "Cable Car Pizza", per Section 726.43 of the Planning Code, and (2) to extend the hours of operation from 2:00 a.m. to 3:00 a.m., per Section 726.27, in the Valencia Street Neighborhood Commercial District and a 50-X Height and Bulk District.
Preliminary Recommendation: None
(Continued from Regular Meeting of November 9, 2000)
(Proposed for Continuance to December 14, 2000)

SPEAKER(S) None
ACTION: Continued as proposed
AYES: Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis

3. 2000.944C (NIKITAS: 5586306)
1527-1533 PINE STREET, south side through to Austin between Polk Street and Van Ness Avenue, Lots 018, 018A, and 019 in Assessor's Block 0667 - Request for Conditional Use Authorization under Planning Code Section 121.2 for use size exceeding 3,000 square feet within the Polk Street NC District (Lot 19) and Section 209.8(c) for a commercial establishment located above the ground floor in an RC-4 District (Residential-Commercial High Density) and the Van Ness Special Use District (Lots 18 and 18A). The properties are in 130-V and 65-A Height and Bulk Districts. The proposal is to convert three interconnected buildings from commercial and industrial uses (Albert Daini Fine Furniture) to business or professional services office space (West Coast Property Management).
Preliminary Recommendation: Approval with conditions
(Proposed for Continuance to December 14, 2000)

SPEAKER(S) None
ACTION: Continued as proposed
AYES: Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis

4. 2000.996T: (HERRERA: 558-6316)
HOURS OF OPERATION - Consideration of amendments to the Planning Code Sections 206.3, 209.8 and to add Section 303 (c)(7) to require Conditional Use Authorization with Good Neighbor Policies per Section 805.5 for hours of operation between 2 a.m. to 6 a.m. in the RC-3 and RC-4 Districts for billiard hall, dance hall, nightclub, other amusement enterprise and nighttime entertainment activities, and adult entertainment; and to require Conditional Use Authorization for hours of operation between 2 a.m. to 6 a.m. in the RC-3 and RC-4 Districts for bars and various eating establishments (full-service restaurant, large fast-food restaurant, and small self service restaurant); and to amend Sections 210.3 and 221(f) to require Conditional Use Authorization to operate amusement and adult entertainment enterprises in C-3-R and C-3-G districts between the hours of 2 a.m. to 6 a.m.
Recommendation: Adoption of proposed amendments.
Note: On November 9, 2000, following public testimony, the Commission closed public hearing. A motion to approve the legislation failed to carry by a vote of +2 -5. Commissioners Baltimore, Chinchilla, Mills and Theoharis voted against. The matter was then continued to December 7, 2000.
(Proposed for Continuance to December 14, 2000)

SPEAKER(S) None
ACTION: Continued as proposed
AYES: Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis

5. (RICH: 558-6345)
General Plan Referral for Urban Design aspects of the Third Street Light Rail Project, including, station platforms, street lighting, trackway paving, and other urban design elements. Preliminary Recommendation: Finding of conformance with the General Plan.
Note: On October 12, 2000, following public testimony, the Commission closed public hearing and continued the matter to October 26, 2000, to explore funding sources by a vote of +7 -0.
(Continued from Regular Meeting of November 9, 2000)
(Proposed for Continuance to January 11, 2001)
- SPEAKER(S) None
ACTION: Continued as proposed
AYES: Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis
6. 1999.346TZ (MALTZER: 558-6391)
ADOPTION OF NEW POLICIES REGARDING OFFICE USE AND CONVERSION OF LIVE/WORK (LOFT HOUSING) WITHIN INTERIM INDUSTRIAL PROTECTION ZONES AND MIXED USE HOUSING ZONES - Consideration of adopting new policies to discourage office development and to further discourage the conversion of live/work to office within the Interim Controls boundary area. These new policies are to supplement existing policies previously adopted August 5, 1999 (CPC Res. 14861).
Preliminary Recommendation: Adopt Resolution creating new Policies within Interim Zones
(Continued from Regular Meeting of November 16, 2000)
(Proposed for Continuance to December 14, 2000)
- SPEAKER(S) None
ACTION: Continued as proposed
AYES: Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis
7. 2000.1007T (LORD: 558-6311)
LIVE-WORK TO LOFT HOUSING AMENDMENT -Consideration of adoption of amendments to Part II, Chapter II, of the San Francisco Municipal Code (Planning Code) by amending Sections 102.7 and 102.13 to redefining "live/work" units as "loft housing" and classifying them as residential uses; repealing Section 233 regarding live/work; adding Section 232 to establish requirements for loft housing that would subject it to existing live/work controls except that there would be no restriction on the nature of work which could be performed in the unit so long as the use is permitted in the SSO (Service/Secondary Office) Zoning District and no requirement that the occupant(s) work in the unit, would establish density standards, would require loft housing to comply with existing inclusionary housing policies, would require loft housing in residential areas to comply with all requirements for residential uses including the residential design guidelines, would require loft housing constructed in areas not zoned residential to comply with non-residential design guidelines and all requirements for residential uses except for height, front setback and open space requirements, would establish procedures for converting live/work units to non-residential uses, and would establish loft housing rear yard standards; states that this ordinance supersedes any inconsistent planning commission policies.
Preliminary Recommendation: Adopt the Draft Ordinance
(Continued from Regular Meeting of November 16, 2000)
(Proposed for Continuance to December 14, 2000)
- SPEAKER(S) None
ACTION: Continued as proposed

AYES: Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis

- 8a. 2000.863BV (WONG: 558-6381)
2712 MISSION STREET - The subject property seeks an authorization for a proposed office development under the smaller building reserve, pursuant to Planning Code Section 321. The proposal is for a change of use from "Retail" to "Office" and for the renovation and expansion of an existing 27,831 gross square foot building into a 30,847 gross square foot building by enlarging an mezzanine within the existing structure. The subject property falls within a NC-3 (Moderate Scale Commercial District) Zoning District and a 50-X/80-B Height and Bulk District.
Preliminary Recommendation: Disapproval
(Proposed for Continuance to January 11, 2001)

SPEAKER(S) None
ACTION: Continued as proposed
AYES: Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis

- 8b. 2000.863BV (WONG: 558-6381)
2712 MISSION STREET - The subject property seeks a parking variance for the reduction of required off-street parking, pursuant to Planning Code Section 151. The project proposes to provide 5 parking spaces for the conversion of 30,847 gross square feet of office space on a site which presently provides no off-street parking spaces. The subject property falls within a NC-3 (Moderate Scale Commercial District) Zoning District and a 50-X/80-B Height and Bulk District.
(Proposed for Continuance to January 11, 2001)

SPEAKER(S) None
ACTION: Continued as proposed
AYES: Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis

9. 2000.1148C (WILSON: 558-6602)
700-740 LE CONTE AVENUE AND 845 MEADE AVENUE, at Jennings Street; Lots 111-116, 133 and 134 in Assessor's Block 4991: -- Consideration of the possible revocation of conditional use or the possible modification of or placement of additional conditions per Planning Code Section 303(f) of a prior authorization to allow a planned unit development for up to 45 dwelling units, within a RH-1 (House, One-Family) and RH-2 (House, Two-Family), and a 40-X Height and Bulk District.
Preliminary Recommendation: pending
(Proposed for Continuance to January 11, 2001)

SPEAKER(S) None
ACTION: Continued as proposed
AYES: Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis

- 10a. 2000.654D (YOUNG: 558-6346)
412 LOMBARD STREET, north side between Grant Avenue and Stockton Street, Lot 010 in Assessor's Block 0062 -- Request for Discretionary Review of Building Permit Application No. 2000/03/03/3468 to construct a two-story vertical addition to an existing one-story over basement single-family dwelling in an RH-3 (Residential, House, Three-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Pending
(Proposed for Continuance to January 18, 2001)

SPEAKER(S) None
ACTION: Continued as proposed
AYES: Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis

- 10b. 2000.654V (YOUNG: 558-6346)
412 LOMBARD STREET, north side between Grant Avenue and Stockton Street, Lot 010 in Assessor's Block 0062, proposing the construction of a two-story vertical addition to an existing one-story over basement single-family dwelling in an RH-3 (Residential, House, Three-Family) District and a 40-X Height and Bulk District. REAR YARD VARIANCES SOUGHT: Planning Code Section 134(c) requires a 15-foot rear setback for the subject property and the proposed vertical addition extends 3 feet into this 15-foot area. Planning Code Section 134(c)(1) limits the height of building extensions in the rear 45% of the lot to 30 feet. The proposed third story exceeds this limit by approximately 8 feet, but does not exceed the absolute limit of 40 feet.
(Proposed for Continuance to January 18, 2001)

SPEAKER(S) None
ACTION: Continued as proposed
AYES: Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis

11. 2000.877D (DAVIDSON: 558-6363)
240 - 16TH AVENUE, north side between California and Clement Streets, Lot 037 in Assessor's Block 1418. Request for Discretionary Review for Building Permit Application No.2000/07/25/6060. The proposal would add a four-story addition to the rear of the existing single family dwelling, and reconfigure the building interior to create a second living unit in an RH-2 (Residential, House, Two-Family) Dwelling and a 40-X Height and Bulk District. Preliminary Recommendation: Take Discretionary Review and approve the building permit with modifications.
(Continued from Regular Meeting of November 16, 2000)
(Proposed for Continuance to January 18, 2001)

SPEAKER(S) None
ACTION: Continued as proposed
AYES: Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis

12. 1999.998D (WANG: 559-6335)
583-587 CORBETT AVENUE, east side between Iron Alley and Glendale Street, Lots 110 and 111 in Assessor's Block 2717, proposing to construct a two-story-over-garage and basement single-family dwelling on each of the two vacant lots in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted.
(Proposed for Continuance to January 25, 2001)

SPEAKER(S) None
ACTION: Continued as proposed
AYES: Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis

13. 2000.779D (WONG: 558-6381)
806-808 RHODE ISLAND STREET, Request for Discretionary Review for Building Permit Application No. 200006213250 for the property at 806-808 Rhode Island Street, Lot 002 in

Assessor's Block 4094. The proposal is to demolish the existing single family residence and to construct a two-dwelling unit building. The subject property falls within a RH-3 (Residential, Three-family) Zoning District and a 40-X Height / Bulk District.

DISCRETIONARY REVIEW WITHDRAWN

14. 1999.690E (CHAN: 558-5982)
3000 THIRD STREET - Appeal of a Preliminary Negative Declaration: Assessor's Block 3754 Lot 8. The proposal is to demolish the existing 11,000 square foot building and construct a three-story, 225,000 square foot building with 145 parking spaces. The building would consist of approximately 161,900 square feet of light industrial space on the second and third floors, of which up to 24,500 sq.ft. could be accessory office space. The ground floor would consist of about 5,000 square feet of commercial space. The majority of the new building would be at a height of 60 feet with the exception of the 10 x 10 parapet and clock tower on the southwest corner of the building. The highest point of the tower would be approximately 80 feet. The vehicular access to the parking lot would be from Cesar Chavez Street and 26th Street. The project would replace an existing two-story vehicle maintenance and office building. The majority of the site is currently used as equipment storage and parking for buses and vans. The project site is located within the M-2 (Heavy Industrial) zoning district and within the 80-E Height and Bulk district
Preliminary Recommendation: Uphold Negative Declaration.
(Continued from Regular Meeting of November 2, 2000)
APPEAL WITHDRAWN

B. COMMISSIONERS' QUESTIONS AND MATTERS

15. Consideration of Adoption - draft minutes of 10/26/00.

SPEAKER(S) None
ACTION: Approved
AYES: Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis
16. Commission Matters

None

C. DIRECTOR'S REPORT

17. Director's Announcements.

- Reminder of Staff Christmas Party
18. Review of Past Week's Events at the Board of Supervisors & Board of Appeals.

BOS: None
BOA: 1133 Green Street - Denied permit
135 Carl Street - Overturned CPC decision and approved the permit
19. 1999.176BX (LeBLANC: 558-6351)
235 SECOND STREET, Report on revised open space plan. The original project, including an open space plan, was approved on March 2, 2000 in Motions Nos. 15003 and 15004. A revised open space plan was presented to the Commission on November 9, 2000. The

SPEAKER(S) None
ACTION: Approved
AYES: Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis

SPEAKER(S)
(+) **Jessica Lane**
- Representative from Supervisor's Teng's Office

- Supervisor Teng encouraged the Commission to adopt this ordinance

(-) **Christine Linnebach**

- Neighborhood has been working on legislation for the last two years

- This is unreasonable legislation

- Problems with notification

- Seismic study was recently done

(+) **Jim Luster**

- Concerned about the omission of Section D. Every single permit would require that notification be sent

- Maintain Section D with the understanding that in no way would it affect the people within the 1000 feet

ACTION: Adopted

AYES: Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis

MOTION No: 16045

23. 2000.020T (HERRERA: 558-6316)

LANDMARKS BOARD 60 DAY REVIEW AMENDMENT - Consideration of adoption of an amendment to the Planning Code Section 1004.2 to allow the Landmarks Preservation Advisory Board sixty (60) days instead of thirty (30) days within which to review and report to the San Francisco Planning Commission on proposed landmark designations.

Testimony and Commission considerations could result in recommendations of modifications to the proposed legislation.

Preliminary Recommendation: Adopt the proposed amendment

SPEAKER(S) None

ACTION: Approved

AYES: Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis

MOTION No: 16046

24. 2000.024T (HERRERA: 558-6316)

HEIGHT LIMIT EXCEPTION - Consideration of adoption of an amendment to the Planning Code Section 263.1 to make the height limit exception available under Section 263.1 inapplicable to properties located in the Jackson Square Historic District and Assessor's Block 195, Lots 4 and 16. Planning Code Section 263.1 permits the San Francisco Planning Commission to approve height exceptions of up to 200 feet for properties in the 65-D-2 Height and Bulk District located at the southern edge of Jackson Square.

Testimony and Commission considerations could result in recommendations of modifications to the proposed legislation.

Preliminary Recommendation: Disapprove proposed amendment with recommendations to Board of Supervisors

SPEAKER(S) None

ACTION: Continued Indefinitely

AYES: Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis

25. 1999.771ET (SHOTLAND: 558.6308)

SOUTH OF MARKET BILLBOARD AMENDMENT Consideration of a proposal to adopt an amendment to Part II, Chapter II of the San Francisco Municipal Code (Planning Code) which would amend Articles 6 and 8 to clarify that general advertising signs are not permitted in South of Market Districts, except in the South of Market General Advertising Special Sign District. Testimony and Commission considerations could result in recommendations to

modify the proposed legislation.

Preliminary Recommendation: Adoption of Draft Resolution Approving the proposed Amendment.

SPEAKER(S)

() Dick Millett

- Potrero Hill has been invaded by this sign
- Advertising on all new live/work buildings in the Waterfront Area

(+) Dee Dee Workman

- Support the amendment to the Planning Code
- We need to preserve the character of this neighborhood
- The quality of life of this area is very important
- Huge wall ad had gone up in the neighborhood
- Diminish the character
- Urge you to adopt this amendment

(+) Peter Winkelstein

- Support control of general advertising in the City
- Urge in approval of the changes

(+) Jean McClatchy

- Pollution of one the most wonderful City in the world
- Finding building size advertising is very offensive to the citizens of this City
- This is not tolerable; it needs to be controlled, enforced
- Commercialization is just not acceptable to SF

(+) Milo Hanke

- Endorse all the other comments
- Feel like other citizens that SF is being taken away from us
- Deteriorate the quality of the greatest City in the world
- Pass more restrictive legislation
- No regard to the properties values

(+) Francis Rigney

- Watch in the course of many years the destruction of the City with all these billboards all over
- Abolish this advertising from districts
- This will be a great start

(+) Jim Lazarus

- Technology of the 90s has gotten out of hands
- Urge to pass this amendment
- It is out of control, we've got to take on this issue, give this the highest priority

(+) Jane Winslow

- Endorse all other speakers
- It will assist the Planning Department
- Support this amendment

(-) Michael Alexander

- Advertising is out of Control in San Francisco

(-) Marilyn Duffey

- Support amendment as an initial step
- Continuing control the advertisement

(-) Robert Frieze

- a lot money in the advertisement industry
- Staff should look into the interim control
- Rules are being abused

(-) Unknown Speaker

- This is a first step to stop the proliferation of signs in the City__

- We need to have a more wide restrictions
- This will set precedents for future legislations

(+) Joe O'Donoghue

- In support of the project

(-) Maytee Colorado

- We need to limit the amount of billboards
- We have the largest concentrations of seniors and citizen in the South of Market
- Biggest buyer of advertising space have been liquor and tobacco advertisement

(-) Sue Hestor

- Proliferation of advertisement is destroying the City, especially in the South of Market Area

(-) Michael Colbruno

- Proliferation of illegal signs

(-) John Newman - Sailors Union of the Pacific

- This organization is one of many non-profit organizations who would be impacted by the approval of this legislation.
- They are requesting that the legislation be continued for further study.
- It is important that thi Commission has taken testimony

(-) Steven Chin

- There need to be a clarification about this amendment
- Do not understand why the City is doing this
- Proliferation on these three small areas in the City
- Recommend this should be sent back to staff

(-) Dean Arbitt

- Maintain all permits that have been issued properly
- This industry is benefiting the City

ACTION: Adopted

AYES: Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis

RESOLUTION NO. 16047

- 26a. 1999.300BX (LeBLANC: 558-6351)
272 MAIN STREET, West side of Main Street between Howard and Folsom Streets, Lot 006 in Assessor's Block 3739, -- Request under Planning Code Section 309 for Determination of Compliance for the construction of a six-story, 80-foot tall building with a total of approximately 56,320 gross square feet including up to 46,500 square feet of office space, approximately 6,100 square feet of ground floor retail space and 1,360 square feet of open space. The existing 30-foot tall, approximately 10,000 square-foot office building would be demolished. The project lies within a C-3-O(SD) (Downtown Office, Special Development) District and an 80-X Height and Bulk District.
 Preliminary Recommendation: Approval with conditions

SPEAKER(S)

(+) Jim Reuben - Representing Project Sponsor

- Project at this site does not required loading deck

(+) Clark Manus - Project Architect

- Gave a description of the project

(-) Sue Hestor

- What is the working assumption?
- Would like the Commission to find out what this really means
- This project has a enormous amount of glass
- How is this going to be in the long term
- This is a very unusual project

ACTION: Approved
AYES: Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis
MOTION No: 16048

- 26b. 1999.300BX (LeBLANC: 558-6351)
272 MAIN STREET, West side of Main Street between Howard and Folsom Streets, Lot 006 in Assessor's Block 3739, -- Request under Planning Code Sections 320-325 (Office Development Limitation Program) for the construction of a six-story, 80-foot tall building with a total of approximately 56,320 gross square feet including up to 46,500 square feet of office space, approximately 6,100 square feet of ground floor retail space and 1,360 square feet of open space. The existing 30-foot tall, approximately 10,000 square-foot office building would be demolished. The project lies within a C-3-O(SD) (Downtown Office, Special Development) District and an 80-X Height and Bulk District.
Preliminary Recommendation: Approval with conditions

SPEAKER(S)

(+) Jim Reuben - Representing Project Sponsor

- Project at this site does not require loading deck

(+) Clark Manus - Project Architect

- Gave a description of the project

(-) Sue Hestor

- what is the working assumption?

- Would like the Commission to find out what this really means?

- This project has a enormous amount of glass

- How is this going to be in the long term

- This is a very unusual project

ACTION: Approved
AYES: Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis
MOTION No: 16049

- 27a. 2000.987CV (MILLER: 558-6344)
530 FOLSOM STREET, (aka 41 Clementina Street), northeast corner at Ecker Street, between First and Second Streets, Lot 17 in Assessor's Block 3736 - Request for authorization of a **CONDITIONAL USE** for approximately 6,000 square feet of **OFFICE SPACE AT OR BELOW THE GROUND FLOOR** and not offering on-site services to the general public and for **OFF-STREET PARKING EXCEEDING ACCESSORY AMOUNTS** (20 spaces when 15 are permitted), in conjunction with conversion of live/work units to approximately 46,000 square feet of office space, having been reviewed and approved by the Planning Commission on November 2, 2000, under Planning Code Sections 309 and 321 (also requiring a Variance of Planning Code standards for open space) in a C-3-S (Downtown Support) District and a 200-S Height and Bulk District.
Preliminary Recommendation: Approval with conditions

SPEAKER(S)

(+) Steve Atkinson, Project Sponsor

(-) Sue Hestor

- Suggested at the time, tenant moves out

ACTION: Approved
AYES: Baltimore, Fay, Joe, Mills, Salinas, Theoharis
ABSENT: Chinchilla

MOTION No: 16050

- 27b. 2000.987CV (MILLER: 558-6344)
530 FOLSOM STREET, (aka 41 Clementina Street), northeast corner at Ecker Street, between First and Second Streets, Lot 17 in Assessor's Block 3736 - in a C-3-S (Downtown Support) District and a 200-SD Height and Bulk District (Lots 61 and 62).
DOWNTOWN OPEN SPACE VARIANCE SOUGHT: The proposal is to substitute an in lieu monetary contribution to the City's Folsom Boulevard streetscape project for usable open space improvements along Folsom Street approved (but not yet emplaced) as part of the live/work project currently under construction of the site (and approved for conversion to office space).

SPEAKER(S) None
ACTION: Approved
AYES: Baltimore, Fay, Joe, Mills, Salinas, Theoharis
ABSENT: Chinchilla
MOTION NO. 16051

28. 2000.824C (YOUNG: 558-6346)
1351 GRANT AVENUE, west side between Vallejo and Green Streets; Lot 002 in Assessor's Block 0131: -- Consideration of the possible revocation of conditional use or the possible modification of or placement of additional conditions per Planning Code Section 303(f) of a prior authorization to allow the establishment of a full-service restaurant and bar, approximately 3,400 square feet in floor area, within the North Beach Neighborhood Commercial District and 40-X Height and Bulk District. The proposal is to consider revocation, modification, or placement of additional conditions on a conditional use authorization approved on December 17, 1998, for the conversion of a vacant commercial space, the former Figoni Hardware Store, into a full-service restaurant and bar, per Planning Code Sections 722.41 and 722.42. The proposed full-service restaurant and bar is located on the ground floor level of an existing three-story residential over commercial building. The proposal was approved under Building Permit Application No. 9912999. There have been unresolved complaints from the community in relation to the construction and operation of the facilities and the possible eviction of residential tenants within the building.
Preliminary Recommendation: Planning Commission to schedule a subsequent hearing to consider the revocation, modification, or placement of additional conditions on the conditional use authorized in Motion No. 14785 under Case No. 1998.243C.
(Continued from Regular Meeting of October 26, 2000)

SPEAKER(S) None
ACTION: Continued to February 8, 2001
AYES: Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis

29. 2000.429C (LIGHT: 558-6254)
1060-1062 GEARY STREET, north side of street between Van Ness Avenue and Polk Street, Lots 9 and 9a in Assessor's Block 694: -- Request for Conditional Use authorization to construct a 130-foot high mixed use building containing approximately 6,000 square feet of retail use, 6 live/work units, artist gallery space and 27 residential units, and accessory parking, in an RC-4 (Residential-Commercial Combined, High Density) District, the Van Ness Special Use District, and a 130-V Height and Bulk District.
Preliminary Recommendation: Approval with conditions and a modification to change 6 live/work units to dwelling units and reduce building square footage by 2,150 square feet to

meet F.A.R.

SPEAKER(S):

(+) Hahn Phan, Representing Project Sponsor

(+)Mr. Gardner, Architect

- Gave an overall description about the project

ACTION: Approved as amended

AYES: Baltimore, Fay, Joe, Mills, Salinas, Theoharis

ABSENT: Chinchilla

MOTION No: 16052

30. 1999.217C (WOODS; 558-6315)

2222 BROADWAY, north side, between Webster and Fillmore Streets, with additional frontage on Vallejo Street, Lots 1, 23 and 24 in Assessor's Block 564 -Request for Conditional Use Authorization under Sections 209.3(g), 209.3(h), 303 and 304 of the Planning Code to permit a Planned Unit Development (PUD) for the expansion of the Schools of the Sacred Heart. The site consists of two private elementary schools and one private secondary school. The proposal is to demolish and remove the outdoor play yard and the two-story wood framed classroom building on the southwest corner of Vallejo and Webster Streets, behind the existing Grant Building, and to construct a new five-story 32,000 square-foot Fine Arts and Science building serving the existing elementary and secondary schools. The proposal would require modification of rear yard requirements, pursuant to Section 134 of the Planning Code, in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District
Preliminary Recommendation: Approval with conditions

SPEAKER(S) None

ACTION: Continued to January 25, 2001

AYES: Baltimore, Fay, Joe, Mills, Salinas, Theoharis

ABSENT: Chinchilla

31a. 2000.299E (CHAN 558-5982)

690 DE HARO STREET, **Appeal of a Preliminary Negative Declaration**. The proposed project would demolish an existing single family house, and construct four two-unit residential buildings in the Potrero Hill neighborhood. The project site is zoned RH-2 (Residential, House -Two Family), and is currently identified as Assessor's Block 4031, Lots 26 and 27. Lot 27 has been proposed for subdivision into three lots.
Preliminary Recommendation: Uphold Negative Declaration
(Continued from Regular Meeting of November 2, 2000)

SPEAKER(S)

(+) Christopher Cole

- This appeal is not about resolving this matter today

- It is whether we have meet the CEQA requirements that requires that an EIR be prepared

- It may cause significant impact to the environment

- Legal argument are stated that it will severe environmental damages

- The reason that the State of California encourage EIRs in all situations, the State wants us to have EIR when there is a significant environmental impact

- Experts disagree , we have the records of Timothy Kelly, that gives a detail historical significance of this property

- There is not mitigation in destroying a property that had been around for 100 years

- Neighbors would like to save this property

(+) Christopher Ver Plancke

- historical significance of the property
- research has been done in the dog patch neighborhood
- lack a good transportation
- emerge in Potrero Hill no single family houses

(+) Barbara Deutsch

- Environmental review is necessary

(+) Gloria Ferra

- Long time resident
- Potrero Hill is a place of quite beauty

(+) Elizabeth Deutsch

- concerned about traffic, parking

(+) Kevin Del

- concerned about density

(+) Unknown speaker

- Sit on brick foundation
- Not significant work has been done on the property
- support plan to be built
- best use of the property now is new housing
- strongly support this project

(+) Ron Miguel

- EIR would hardly recommend upholding the negative declaration
- No EIR is necessary
- It is a natural area

(+) Kathy Del

- No objection to the project

(+) Barbara Preston

- SF needs more open space

(-) Joe O'Donoghue

- EIR is not necessary
- Accumulative impact , there will be a negative impact if we stop building
- Negative declaration should be upheld

(-) Babett Refky

- Neighbor was not notified properly

(-) Guy Crystal

- concerned about open space

(-) Josh Blume

- Is there substantial evidence?
- speculation and, evidences that are not substantial
- concerned about whether a property is eligible

ACTION: Uphold Negative Declaration

AYES: Baltimore, Fay, Joe, Mills, Salinas, Theoharis

ABSENT: Chinchilla

MOTION No:

E. SPECIAL DISCRETIONARY REVIEW HEARING

At Approximately **7:46 P.M.** the Planning Commission convened into a Special Discretionary Review (DR) Hearing to hear and act on Discretionary Review matters.

31b. 2000.299D

(M.SNYDER: 575-6891)

690 DeHARO STREET, northwest corner of DeHaro Street and 19th Street Right-of-Way,

Lots 026 (to be subdivided) and 027 in Assessor's Block 4031, proposing to demolish the existing single-family house and construct four duplexes in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted.

SPEAKER(S)

(-) **Chris Cole, Representing project sponsor**

- CEQA also are grounds for this Commission to turn down this project

(-) **Kevin Del, Project Sponsor**

- building is not habitable

- significantly no code compliance

(-) **John Warner**

- inspected property and conclude with the report that the original facade of the building was kept

- in conclusion conditions of the bldg is such that everything would have to be remodeled to be code compliance

ACTION: Do not take Discretionary Review and approve project

AYES: Baltimore, Fay, Joe, Mills, Salinas, Theoharis

ABSENT: Chinchilla

32a. 2000.779D (S.SNYDER: 558-6543)

746 CAROLINA STREET, on the west side of Carolina Street, between 20th and 22nd Streets, on Lot 5 of Assessor's block 4096, proposing to construct a new two-family dwelling on a vacant lot in an RH-2 (Residential, House, Two-family) District, and a 40-X Height and Bulk District.

Preliminary Recommendation: Approval

Note: On November 16, 2000, following public testimony the Commission continued the matter to 12/7/00 instructing Staff to provide the Residential Design Checklist and explain any concerns and analyses. The vote was +7 -0 for the continuance. Public Hearing to remain open.

(Continued from Regular Meeting of November 16, 2000)

DISCRETIONARY REVIEW WITHDRAWN

32b. 2000.779V (S.SNYDER: 558-6543)

746 CAROLINA STREET, on the west side of Carolina Street between 20th and 22nd Streets, on Lot 5 of Assessor's Block 4096 in an RH-2 (Residential House, Two-Family) District. FRONT SETBACK VARIANCE SOUGHT: The proposal is to construct a new two-family dwelling on a vacant lot.

(Continued from Regular Meeting of November 16, 2000)

WITHDRAWN

33. 2000.049DDDD (CRAWFORD: 558-6358)

1021 FRANCISCO STREET, between Larkin and Polk Streets, Lot 023 in Assessor's Block 0477, proposing to construct vertical and horizontal additions to the existing two-family dwelling consisting of two stories of living space above a garage. A new story of living space with a rear projecting deck and stairs is proposed above the existing living space and a portion of the existing building envelope will be extended to the rear in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve the project

as per the revised plans submitted on September 20,2000.

SPEAKER(S)

(+) John Larkin, D.R. Requestor

- No dialogue with neighbors
- concerned about cubic footage of the 4th floor
- 14 feet above our roof line
- the air and light will change dramatically
- Excessive size of the ceiling
- Won't have any privacy
- In addition there is a bay window
- DR packet dated November 15
- new material that was not sent on time to them
- from 2 unit to 1, square footage changes

(+) Jeanny Loughran

- This plan will impact their home and lifestyle
- is not a 2 family dwelling
- we share sunlight and view
- 24 foot above our house
- pleading for a DR
- asked the Commission to reject this plans

(+) Kate Black

- asked for a 18 inch height reduction

(+) Jack Scott, representing owner

- bulk of building is really an Issue
- keeping residential guidelines
- is not a five story building,
- privacy issue

(+) Joe O'Donoghue

- 18 inches reduction, it will destruct the project

ACTION: Do not take DR and approved project as amended

AYES: Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis

ABSENT: Chinchilla

34.

2000.1034D

(JON

220 MAGELLAN, northwest side between Pacheco Street and Sola Avenue, Lot 005 in Assessor's Block 2863, proposing to construct a two-story horizontal addition at the rear of the property in a RH-1(D) (Residential, House, One-Family, Detached) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted.

DISCRETIONARY REVIEW WITHDRAWN

35. 2000.884D

(PURVIS: 558-6354)

688 POWHATTAN AVENUE, Appeal of a determination of compatibility, pursuant to Planning Code Section 242(e)(6)(B), of Building Permit Application No. 2000/04/04/6293, to construct a 3-story, single-family dwelling at a height of 30 feet and with two off-street parking spaces. The project site is within an RH-1 (Residential, House, One-Family) District, with a 40-X Height and Bulk designation and is within the Bernal Heights Special Use District.

Preliminary Recommendation: Take Discretionary Review and approve project with modifications

(Continued from Regular Meeting of November 16, 2000)

DISCRETIONARY REVIEW WITHDRAWN

F. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

"The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

Adjournment: **9:58 P.M.**

THE DRAFT MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, JANUARY 18, 2001.

4/00

SAN FRANCISCO PLANNING COMMISSION

Meeting Minutes

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, December 14, 2000

2:00 PM

Regular Meeting

DOCUMENTS DEPT.

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SAN FRANCISCO
PUBLIC LIBRARY

PRESENT: Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis
ABSENT: None

THE MEETING WAS CALLED TO ORDER BY PRESIDENT THEOHARIS AT 2:15 P.M.

STAFF IN ATTENDANCE: Gerald G. Green - Director of Planning; Larry Badiner - Zoning Administrator; Isolde Wilson; Paul Lord; Samuel Assefa; Stephen Shotland; Maltzer; Navarrete; Elizabeth Gordon; Cecilia Jaroslawsky; Ellen Miramontes; Craig Nikitas; Sharon Young; Judy Martin; Andrea Wong; Matt Snyder; Patricia Gerber - Executive Secretary; Nora Priego - Transcription Secretary; Andrea Green - Acting Commission Secretary

A. ITEMS PROPOSED FOR CONTINUANCE

- 2000.436C (SMITH: 558-6322)
1594 - 43RD AVENUE - northeast corner of the intersection of Lawton Street and 43rd Avenue; Lot 017 in Assessor's Block 1888 -- Request for Conditional Use Authorization under Planning Code Section 710.83 to install three antennas in a canister on the roof and two equipment cabinets and one battery cabinet in the garage of a mixed-use building located in a (NC-1) Neighborhood Commercial Cluster District and a 40-X Height and Bulk District. The subject site is a Limited Preference 6 site according to Wireless Telecommunications Services (WTS) Siting Guidelines, 1996.
Preliminary Recommendation:
(Proposed for Continuance to January 11, 2001)

SPEAKER(S): None

ACTION: Continued to January 11, 2001

AYES: Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis

2. 2000.270C (BRESSANUTTI: 575-6892)
535-537 VALENCIA STREET - east side between 16th and 17th Streets; Lot 044 in Assessor's Block 3569 - Request for Conditional Use Authorization to (1) allow continued operation of an existing large (over 1,000 square feet) fast food restaurant, presently d.b.a. "Cable Car Pizza," per Section 726.43 of the Planning Code, and (2) to extend the hours of operation from 2:00 a.m. to 3:00 a.m., per Section 726.27, in the Valencia Street Neighborhood Commercial District and a 50-X Height and Bulk District.
Preliminary Recommendation: Approval of Large Fast Food Restaurant use; disapproval of extended hours.
(Continued from Regular Meeting of December 7, 2000)
(Proposed for Continuance to January 11, 2001)

SPEAKER(S): **None**

ACTION: **Continued to January 11, 2001**

AYES: **Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis**

3. 2000.985C(CHIN: 558-6897)
1176 SUTTER STREET (AKA, 1214 POLK STREET) - northeast corner at Polk Street; Lot 011 in Assessor's Block 0669 -- Request for Conditional Use authorization to allow amplified live and recorded music (defined as "Other Entertainment" by Planning Code Section 790.38) in an existing bar, d.b.a. An Sabin, as required by Planning Code Section 723.48, in the Polk Street Neighborhood Commercial Zoning District and a 65-A Height and Bulk District.
Preliminary Recommendation:
(Proposed for Continuance to January 11, 2001)

SPEAKER(S): **None**

ACTION: **Continued to January 11, 2001**

AYES: **Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis**

4. 2000.1007T (LORD: 558-6311)
LIVE-WORK TO LOFT HOUSING AMENDMENT - Consideration of adoption of amendments to Part II, Chapter II, of the San Francisco Municipal Code (Planning Code) by amending Sections 102.7 and 102.13 to redefining "live/work" units as "loft housing" and classifying them as residential uses; repealing Section 233 regarding live/work; adding Section 232 to establish requirements for loft housing that would subject it to existing live/work controls except that there would be no restriction on the nature of work which could be performed in the unit so long as the use is permitted in the SSO (Service/Secondary Office) Zoning District and no requirement that the occupant(s) work in the unit, would establish density standards, would require loft housing to comply with existing inclusionary housing policies, would require loft housing in residential areas to comply with all requirements for residential uses including the residential design guidelines, would require loft housing constructed in areas not zoned residential to comply with non-residential design guidelines and all requirements for residential uses except for height, front setback and open space requirements, would establish procedures for converting live/work units to non-residential uses, and would establish loft housing rear yard standards; states that this ordinance supersedes any inconsistent Planning Commission policies.
Preliminary Recommendation: Adopt the Draft Ordinance
(Continued from Regular Meeting of December 7, 2000)
(Proposed for Continuance to January 11, 2001)

SPEAKER(S): **None**

ACTION: **Continued to January 11, 2001**
AYES: **Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis**

5. 2000.1026C(WOODS: 558-6315)
4314 CALIFORNIA STREET - north side, between Fifth and Sixth Avenues, Lot 14 in Assessor's Block 1365 -- Request for Conditional Use Authorization under Sections 303 and 710.27 of the Planning Code to extend the bar hours of an existing bar and restaurant establishment (the V Pub Bar and Grill) from 11:00 p.m. to 2:00 a.m. in an NC-1 (Neighborhood Commercial Cluster District) Zoning District and 40-X Height and Bulk District. Preliminary Recommendation: Pending
(Proposed for Continuance to January 18, 2001)

SPEAKER(S): **None**
ACTION: **Continued to January 18, 2001**
AYES: **Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis**

6. 2000.1118DDDD (NIKITAS: 558-6306)
33 WALNUT STREET - between Pacific and Jackson Streets, Lot 002 in Assessor's Block 0972 - proposing to demolish existing rear deck and bay, and to add a rear expansion 19'-10"+ deep at the first floor and crawl space and 15'-10" deep at the second-story with a roof deck above and a new attic level dormer in front in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District. Preliminary Recommendation: Do not take DR and approve project as submitted
(Proposed for Continuance to January 18, 2001)

SPEAKER(S): **None**
ACTION: **Continued to January 18, 2001**
AYES: **Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis**

7. 2000.856C (FALLAY: 558-6367)
445 BURNETT AVENUE - southeast corner of Burnett and Dixie Avenues, Lot 024 in Assessor's Block 2756 -- Request for a Conditional Use Authorization under Planning Code Section 209.1(h) to allow an additional single family dwelling unit on the subject property for a total of thirteen units in an RH-3 (Residential, House, Three-Family) District and 40-X Height and Bulk District.
~~**PROJECT HAS CHANGED FROM ORIGINAL NOTICE. A NEW NOTICE WILL BE ISSUED. THE PROJECT AS DESCRIBED ABOVE IS NO LONGER BEFORE THE COMMISSION FOR CONSIDERATION.**~~

SPEAKER(S): **None**
ACTION: **Case Withdrawn**
AYES: **Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis**

8. 2000.385C (SANCHEZ: 558-6679)
2001 UNION STREET - southwest corner at Buchanan Street; Lot 024 in Assessor's Block 0541: Request for Conditional Use Authorization pursuant to Section 725.83 of the Planning Code to install a total of eight antennas on the existing rooftop penthouses and an equipment shelter on the second floor of the existing six-story mixed-use building as part of Nextel's wireless telecommunications network within the Union Street Neighborhood Commercial District (NCD) and a 40-X Height and Bulk District. As per the City & County of San Francisco's Wireless Transmission Services (WTS) Facilities Siting Guidelines the proposal is a Preference 2 (co-location site).

Preliminary Recommendation: Pending
(Continued from Regular Meeting of December 7, 2000)
(Proposed for Continuance to February 1, 2001)

SPEAKER(S): **None**

ACTION: **Continued to February 1, 2001**

AYES: **Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis**

B. COMMISSIONERS' QUESTIONS AND MATTERS

9. Consideration of Adoption - draft minutes of November 2, and 9, 2000.

SPEAKER(S): **None**

ACTION: **Continued to January 11, 2001**

AYES: **Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis**

10. Commission Matters

Commissioner Theoharis:

Would like for Commissioners to receive a copy of the case report for Item 17 at least 15 days in advance.

C. DIRECTOR'S REPORT

11. Director's Announcements.

None

12. Review of Past Week's Events at the Board of Supervisors & Board of Appeals.

Larry Badiner:

He will be putting his interpretations on the City Web Page so the public can have immediate access to the information, therefore, submit their comments and/or questions.

D. REGULAR CALENDAR

13. DWELLING UNIT MERGER POLICY (WILSON: 558-6602)
Policy discussion on the removal of dwelling units. Consideration for adopting a policy of Discretionary Review of all permit applications that result in the removal of a legal dwelling unit.

SPEAKER(S):

(-) Andrew Zucki

- He is an attorney and counsels small property owners.

- He is in opposition to this policy.

- There is a housing study which is going on at City Hall and he believes that this policy should wait to be voted on until those results are in.

(-) Duane Danielson

- He is a third generation San Franciscan.

- He is surprised that this policy has come to the Commission so quickly.

- This policy is punitive to small property owners.

- He is starting a family and when he is ready to expand to his house he disagrees that he will have to go through a Discretionary Review.

- He has a tenant which left recently who was not evicted.

(-) Dean and Catherine Akazawa

- They have a unit which is pending a merger.

- They recently bought a duplex which was originally a single family home.

- The merger is being done because he is starting a family. His wife's sister is living with them currently because she can't afford a place to live. When their babies are born (twins) his mother will also come to live with them.

- They will not be taking any additional space.

- Since their project is in the "pipe line" he would like for his project to be exempt from Discretionary Review.

- He was shocked to find out that this policy would be voted on at the Commission.

(-) Michael Vanni

- He and his wife started a project to merge units since more family members will be moving in.

- They are almost half way through the project and have spent thousands of dollars.

- Now they become aware that this policy will be voted on at the Commission.

- Since he started his project in February of this year and many permits have been issued, he believes that this is unfair since he would have to go through Discretionary Review.

(-) Tamsin Randlett

- She and her husband bought property which is going through the "pipeline" right now.

- They have spend a lot of money and have had to borrow in order to pay for their merger project.

- They are not changing the footprint of the project.

- They would like have project s that are in the "pipeline" be exempt from this policy.

(-) Erin Day

- She and her husband own a property.

- Her project is in the "pipe line" as well.

- In August of this year, they applied for a dwelling merger, what through all the paperwork and now become aware of this policy which would cause problems to their project.

- Although she is sympathetic to the reason for this policy, she doesn't believe that projects which have been started should have to go through Discretionary Reviews.

- This policy will cause a tremendous burden to them.

(-) Erin Oberly

- She is glad she doesn't have a project at the Planning Department right now.

- Yet, she is sympathetic to the people who have spoken previously which will be affected by this policy.

- This policy will cause a tremendous burden on small property owners who wish to expand because their families are growing and instead of buying a bigger house (because they can't afford it) would rather expand their homes and merge dwelling units for more space.

- Large properties and/or projects should go through

(-) Robert Celso

- He received an e-mail today of someone who told him about this meeting. He wishes he would have had more time to prepare.

- He does not agree with this policy since the Commission is so interested in not loosing rentals that they are not taking into consideration the families who own small properties and need to expand since their families are growing.

(-) Will Sprietsma

- He owns a small property

- There are no tenants involved.
- He has been saving money to make this property into a single-family home.
- Right now, he has to go outside to get to the other part of the house.
- There are no tenants involved so he doesn't think it's fair that he would have to go through Discretionary Reviews.

(-) Jim Fabris

- He is opposed to this policy.
- A legal dwelling unit is removed when two units are merged. A long time ago, many of the multiple unit properties were single-family homes yet they started splitting. Now because society is changing, many of these properties are becoming single-family homes.
- This policy is inappropriate.

(-) Siesel Maibach

- She will not repeat what everyone has said, but is in opposition to this policy.
- Her plans for her project have been in the Planning Department for many months now.

(-) Donald Gibbs

- He grew up in the Mission District and had to leave the City he loves because he can't afford it.
- Now he has moved back and has a project which will merge units.
- He would like to have a second bedroom in his 1 bedroom unit.
- He objects to the design review since it's an erosion of property rights.
- The department needs to be more creative in finding a solution.

(-) Robert Rosenbaum

- He lives in a unit which was converted.
- He is not trying to merge units yet is sympathetic to the speakers who have merger projects.
- In the future he might want to merge units and thinks it's not fair to have to go through Discretionary Review.

(-) David Grossman

- He has a 2 unit building.
- He learned that his tenants are moving out of state.
- He is starting a family and would like to merge the units since there will be no evictions.
- He echoes the sympathy what the Department is trying to do yet his hear goes out to the people who have dwelling merger projects.

(-) Ted Loewenberg

- He heard about this policy through the Small Property Owners Organization.
- He pays mortgage, taxes, repair costs, etc to his own property and now the Department is telling him what he has to do with his property.
- He finds it unfair that there is a recommendation to adopt the policy after public speakers. In any court, the public has a right to speak and then a vote is conducted. Input should be considered first and not just make decisions by what the Director has recommended.

(-) Mary Lis

- She owns a property which is going through the Planning Department right now.
- She and her husband have a daughter and are expecting another baby. So, they would like to expand their home.
- If this policy is passed they will not be able to merge their 2 units into 1.

(-) Elizabeth Airheart

- She is an attorney and she is representing a family who has a project right now in the Planning Department.
- She would like to request that these type of project should be exempt from this policy.

(-) Joe O'Donahue

- He recommends that this policy should be continued and brought to the attention of the

Board of Supervisors.

- This policy is an intrusion on people rights.
- This policy is also forcing people buy properties with more than one unit and spend money on merging these units.
- He also recommends that properties that have started projects to have them continue and go through the process.

(-) John (last name unclear)

- He is here for another matter but decided to speak because his property was never approved as a single-family home, yet the two units house 1 family.
- Having units merged would create less parking problems.

ACTION: Policy Adopted. Guidelines to this policy will be elaborated and presented to the Commission on January 18, 2001.

AYES: Chinchilla, Mills, Salinas, Theoharis

NAYES: Baltimore, Joe, Fay

MOTION: 16053

14. 2000.996T (HERRERA: 558-6316)

HOURS OF OPERATION - Consideration of amendments to the Planning Code Sections 206.3, 209.8 and to add Section 303 (c)(7) to require Conditional Use Authorization with Good Neighbor Policies per Section 805.5 for hours of operation between 2 a.m. to 6 a.m. in the RC-3 and RC-4 Districts for billiard hall, dance hall, nightclub, other amusement enterprise and nighttime entertainment activities, and adult entertainment; and to require Conditional Use Authorization for hours of operation between 2 a.m. to 6 a.m. in the RC-3 and RC-4 Districts for bars and various eating establishments (full-service restaurant, large fast-food restaurant, and small self service restaurant); and to amend Sections 210.3 and 221(f) to require Conditional Use Authorization to operate amusement and adult entertainment enterprises in C-3-R and C-3-G districts between the hours of 2 a.m. to 6 a.m. Recommendation: Adoption of proposed amendments.

Note: On November 9, 2000, following public testimony, the Commission closed public hearing. A motion to approve the legislation failed to carry by a vote of +2 -5. Commissioners Baltimore, Chinchilla, Mills and Theoharis voted against. The matter was then continued to December 7, 2000.

(Continued from Regular Meeting of December 7, 2000)

SPEAKER(S):

(+) Daniel Emerson

- This issue seems to be complicated but it's actually very simple.
- He attends church in the Tenderloin
- There are families that live in the Tenderloin as well as various churches and YMCA. This community is asking for support to control it's destiny.
- They are not against restaurants or businesses that bring value to the community yet there needs to be control in order to grow the neighborhood.
- CU allows the community to work with the Police Department.

(+) Robert Garcia

- He would like Commission to adopt this policy since neighborhoods need protection.
- People who work in the Downtown Area, Civic Center and Financial Area will be the first victims of gentrification. Gentrification is need necessary to clean up the neighborhoods.
- People need to be protected especially between the hours of 2 a.m. and 6 a.m.
- He is not against restaurants.

- Neighborhoods need this projection.

(+) Phillip Faight

- Displaced a map of extended hours permit locations.
- Residential neighborhoods are protected so why aren't downtown people not protected as well.
- This neighborhood needs the same type of controls as other neighborhoods.
- People need to be able to sleep between 2 a.m. and 6 a.m.
- Conditional Use and controls are required for this area.

(+) Linda Mjellem

- She represents the Union Square Business Association.
- There are many fine restaurants in this area as well as hotels and stores.
- In the hotel rooms of the square, there are people who seek entertainment but also who would like a good-night's sleep.
- A conditional use would have control on late-night entertainment.

(+) Bob Begley

- He is a native of this city and works for the hotel association.
- The hotel association has experienced very good business during the last couple of years.
- People have choices of place to go. People might decide to not come to San Francisco because they can't get a good night's sleep or have problems on the street.

(-) Terrance Alan

- San Francisco Late Night Coalition
- There is no gentrification plan for the downtown area.
- The media took a statement that he made.
- After hours is being called evil. Something that happens after 2 a.m. becomes a problem.
- There has been a moratorium in certain areas already.
- The police department has a process to issue late-night permits.
- There has been an intense pressure to after-hours establishments. These pressures have caused many establishments to close.

(-) Kathleen Harrington

- President of the Golden Gate Restaurant Association
- She is thankful to Supervisor Becerril.
- She doesn't agree that this conditional use be imposed on restaurants.
- For restaurants, they still need to obtain a permit from the police department.
- She supports the notification and not the conditional use.

(+) Dick Millet

- He has an area in his neighborhood (Potrero) which has a number one use of loft housing and number two use are late night establishments.
- The police policy of notification is not good enough.
- He worries about creating character in neighborhoods have late night establishments there.
- There are good late night establishments and there are bad ones.

(+) David Overdorf

- He lives, works and owns property in San Francisco.
- There has been a lot of work put into establishing legislation and a compromise.
- The situation is that a moratorium is expiring soon.
- He is supportive to the Planning Department's recommendation.
- He is asking the Commission to give the same protection as other neighborhoods and approve a conditional use.

ACTION: **Legislation will go back to the BOS on Monday, December 18, 2001.
No Action Required.**

AYES: **Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis**

15. 2000.324R (ASSEFA: 558-6625)
COLIN COURT (AKA COLIN PLACE) STREET VACATION - easterly of Jones Street between Post and Geary Streets on Assessor's Block 305 - Consideration of a proposal to vacate Colin Court (AKA Colin Place) and install a steel gate at its entrance.
Preliminary Recommendation: Finding proposal not in conformity with the General Plan.

SPEAKER(S):

(+) Cy Szpyrka

- He is trying to clean up his neighborhood.
- This would be between 2 a.m. and 4 am.
- This alley is a problem.
- A gate would assist in eliminating all these problems.

(+) Michael Goldstein

- He is a friend of a person who couldn't make it to the meeting.
- There is no parking except through the alley.
- Who will have a key to that gate?
- There is a safety issue as well.
- He didn't know that this case would be heard.

ACTION: **Project Disapproved**

AYES: **Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis**

MOTION: **16054**

16. 2000.994ET (SHOTLAND: 558-6308)
INCREASING PENALTIES FOR VIOLATION OF REGULATIONS GOVERNING GENERAL ADVERTISING SIGNS - Consideration of a proposal to Adopt an Amendment to Part II, Chapter II of the San Francisco Municipal Code (Planning Code) by amending Section 176 and adding Section 610 to substantially increase the penalties for violation of regulations governing general advertising signs. Fees and administrative penalties collected pursuant to Section 610 would be used to establish and fund a Planning Code Special Account which would be used to fund sign regulation enforcement activities and graffiti removal. The proposed Planning Code amendment was introduced by Supervisor Leno at a Board of Supervisors hearing on July 31, 2000 (Board of Supervisors File No. 001391). Testimony and Commission considerations could result in recommendations to modify the proposed legislation.
Preliminary Recommendation: Adopt the Draft Ordinance.

SPEAKER(S):

(+) Didi Workman - San Francisco Beautiful

- Assessing significant fines for erecting non-permit signs should be enforced.
- These fees would back to continue the enforcement.
- She urges the Commission to adopt this ordinance and enforce it.

(+) Peter Winkelstein - SPUR

- SPUR supports this legislation.
- If the legislation passes, he would like to make some conditions: 1) make an inventory of all the signs. When this goes back to BOS, he would like to s
- The Commission may want to do the inventory through a contract.

(+) Dr. Francis Rigney

- He supports the motion of not mixing "apples and oranges". In other words, not mixing

billboard regulations with graffiti.

(+) Did not state name

- She is concerned with the way this City looks.
- There is a lot of pollution in this City: air, graffiti and now billboards.
- She is thankful to Supervisor Leno for initiating this legislation.
- She agrees with not mixing billboards and graffiti.

? - Board of Directors of Union Square Association

- They are in support of this legislation.
- He would like the billboards which are not legal to be taken down.
- 90% of the billboards are illegal.
- Some of the billboards are interesting yet they are illegal and should be taken down.

(+) Milo Hankey - Member of San Francisco Beautiful

- This legislation is very important.
- This signage has reached a critical point.
- Billboards are ugly and will still be ugly.
- He would like the Commission to consider a moratorium of any new signage.
- An additional revenue source would be to impose taxes on signage since it's encroaching on public space.

(+) Robert Freese - Member of San Francisco Beautiful

- This is an alternative of an already banned proposal.
- This policy should be adopted.

(+) Did not state name

- San Franciscans are trying very hard to preserve the cityscape of this City.
- These billboards add to the visual clutter of the streets.
- In the past sign companies have showed up to Planning Commission hearings.
- Do not be persuaded by these comments.

(+) Steve Shinn

- He supports the City's efforts to enforce the billboard regulations
- He would like the Director of the department

(+) Dick Millet - Potrero Boosters Association

- Many billboards could be prevented if this legislation is approved.
- He agrees with the Director's explanation that we are not mixing "apples and oranges"
- Many of the companies who have billboards will run away.

(+) Patricia Reynolds - National Association of Realtors

- This legislation will only make San Francisco more beautiful and more valuable.

ACTION: Draft Ordinance Adopted with Recommendations from Planning Director: Any reference to ? will be taken out.

AYES: Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis

MOTION: 16055

17. 1999.346TZ (MALTZER: 558-6391)
ADOPTION OF NEW POLICIES REGARDING OFFICE USE AND CONVERSION OF LIVE/WORK (LOFT HOUSING) WITHIN INTERIM INDUSTRIAL PROTECTION ZONES AND MIXED USE HOUSING ZONES - Consideration of adopting new policies to discourage office development and to further discourage the conversion of live/work to office within the Interim Controls boundary area. These new policies are to supplement existing policies previously adopted August 5, 1999 (CPC Res. 14861).
Preliminary Recommendation: Adopt Resolution creating new policies within Interim Zones
(Continued from Regular Meeting of December 7, 2000)

SPEAKER(S): **None**
ACTION: **Continued to January 18, 2001**
AYES: **Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis**

- 18a. 1999.849E (NAVARRETE 558-5975)
809-821 FOLSOM STREET - 78 RESIDENTIAL UNITS - Appeal of a Negative Declaration.
Assessor's Block 3752 Lots 92, 93, and 94, at 809-821 Folsom Street. The proposal is the new construction of 78 residential units (32 one-bedroom and 46 two-bedroom) in a five-story plus basement, 56-foot tall, approximately 108,100-gross-square-foot building covering a 28,875 square foot site. The project site is currently occupied by a 58-car public parking lot and two-story concrete buildings totaling approximately 14,600 square feet, which would be demolished. The project would include about 76 parking spaces located in a basement parking garage with entrance and exit both on Folsom Street. The project site is in the South of Market Residential/Service District (SOM RSD) and the 40-X/85-B Height and Bulk District. The site lies within the Mixed-Use Housing District of the Industrial Protection Zone (IPZ). (Continued from Regular Meeting of November 2, 2000)
Preliminary Recommendation: Uphold Preliminary Recommendation

SPEAKER(S): **None**
ACTION: **Appeal Withdrawn**
AYES: **Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis**

- 18b. 1999.849VC (GORDON: 558-6309)
821 FOLSOM STREET, on the south side, a through lot to Shipley Street between Fourth and Fifth Streets, Lots 92, 93, 94 in Assessor's Block 3572 -- Request for Conditional Use Authorization to: (1) allow a 56-foot tall structure above the 40-foot base height under Planning Code Section 263.11(b) and (e); and (2) allow exceptions to bulk limit of the 85-B bulk district above 50-feet in height as stated in Planning Code Section 270 and pursuant to Planning Code Section 271(b) and (c); and (3) provide off-street parking in excess of the accessory amounts as defined in Planning Code Section 204.5 pursuant to Planning Code Section 157(a), (b), and (d). The site is within the RSD (Residential/Service Mixed Use) District and the Mixed-Use Housing Area of the Industrial Protection Zone. The site is also within a 40-X/85-B Height and Bulk District.
Preliminary Recommendation: Approval with Conditions.

SPEAKER(S):
(+) **Chris Maney**
- The concept is to develop a 78-unit residential unit with subterranean parking.
- The building will have an open courtyard.
(+) **Ken Iremonger**
- He would like to see the Shipley Street elevation.

ACTION: **Approved**
AYES: **Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis**
MOTION: **16056**

- 18c. 1999.849VC (GORDON: 558-6309)
821 FOLSOM STREET - south side, a through lot to Shipley Street between Fourth and Fifth Streets, Lots 92, 93, 94 in Assessor's Block 3572. Request for a rear yard exception under Planning Code Sections 134(e) and 307(g). Planning Code Section 134(a)(1), requires the minimum rear yard of the subject site to be 41.25 feet in depth (equal to 25 percent of the

total depth of the lot), from the Shipley Street property line -- occupying about 7,219-square feet in area. The Project Sponsor proposes to replace the required rear yard with a central courtyard of approximately 6,200-square feet, and other roof deck open areas of approximately 1,760-square feet. The site is within the RSD (Residential/Service Mixed Use) District, a 40-X/85-B Height and Bulk District and the Mixed-Use Housing Area of the Industrial Protection Zone.

SPEAKER(S): **None**

ACTION: **Zoning Administrator has taken Variance under Advisement.**

AYES: **Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis**

19a. 2000.052E (JAROSLAWSKY: 558-5970)

14, 20, 26, 32, 38, 50, and 56 ARCO WAY and three additional vacant lots -**Appeal of a Preliminary Negative Declaration.** The vacant project site is located on lots 024 through 028, lot 032, lots 037 through 039 and lot 051 located on block 3154 within the Outer Mission District of the City of San Francisco. The address of the project site is 14, 20, 26, 32, 38, 50, and 56 Arco Way and three additional vacant lots. The proposed project includes the rezoning of the lots from Public (P) to Residential House-One Family (RH-1) with a 40-X Height and Bulk Designation and the construction of one, single-family structure on each legal lot. Each structure would be approximately 2,000 square feet, contain a two-car garage and be a maximum of 30 feet in height. The lots are along the northern side of Arco Way and range from 1,973 square feet to 9,900 square feet and abut the Bay Area Rapid Transit tracks to the north.

Preliminary Recommendation: Uphold Preliminary Negative Declaration
(Continued from Regular Meeting of November 9, 2000)

SPEAKER(S):

(-) Nazario Bernardo

- He objects to the

- He and some of the neighbors have prepared a video which was shown to the public.

(-) David Hooper - Mission Terrace Improvement Association

- He would like to point out that 1873 is a mistake. The smallest lot is 1150 square feet. This item is a question of how you read the property lines.

- These lots are averaging about 25 x 53 feet.

- These lots are quite small.

(-) Jose Hernandez

- On page 14, item 8 - states that the site does not have any vegetation yet the video shows vegetation and would like to have further study done on the site.

(+) Jim Reuben - Reuben and Alter - Project Sponsor

- Most of the comments on the tape were regarding the project and not the environmental impact.

- The neg dec does not show any significant impact. Staff's work is adequate.

- This site used to contain houses then BART purchased the property and demolished the property.

- Housing is necessary and this site will develop housing.

ACTION: **Negative Declaration Upheld**

AYES: **Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis**

MOTION: **16057**

- 19b. 2000.052EZ (BORDEN: 558-6321)
14, 20, 26, 32, 38, 50, and 56 ARCO WAY and three additional vacant Lots, north side of Arco Way, abutting the Bay Area Rapid Transit tracks; Lots 024, 025, 026, 027, 028, 032, 037, 038, 039, and 051 in Assessor's Block 3154 -- Request to reclassify the subject property from P (Public District) to RH-1 (Residential, House, One-Family District) with a 40-X Height and Bulk District designation. The rezoning of these parcels is related to building permit applications on file with the Department to construct ten single-family structures on the ten existing vacant lots. Each single-family dwelling will require separate approval under the building permit application process.
Preliminary Recommendation: Adoption of the Zoning Map Amendment.
(Continued from Regular Meeting of November 9, 2000)

SPEAKER(S):

(-) Cecile Lozano

- Project should not be approved.
- These lots are not the same size as they used to be, before BART bought the property.
- There is a lots of noise, can't even open windows

(-) Angela Olson

- She lives in the neighborhood.
- The lots are on a slope and are very small.
- She will be impacted with this development.
- She agrees with homes being built there but not 9.

(-) David Hooper - Mission Terrace Neighborhood Association

- There has been no effort to work with the context of the neighborhood.
- There will be no back yards on these houses.
- The lots are extremely narrow.
- Nine buildings on narrow, short blocks should be analyzed.

(-) Gene Bernardo

- She and her husband live on Arco Way.
- She realizes that there is a housing shortage but these many houses are too much.
- A smaller number of houses would be more appropriate.

(-) Jose Hernandez

- The point of the video is to show that the site is not appropriate for housing.
- This project should be denied.
- Housing is needed but not these type of housing.
- The lots have been on the market for a long time but no one has come forward to purchase the lots and construct anything -- until now.

ACTION: Map Rezoning Approved

AYES: **Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis**

MOTION: **16058**

- 20a. 2000.656CV (MIRAMONTES: 558-6348)
1988 (formerly 1946) VAN NESS AVENUE, east side between Washington and Jackson Streets, Lot 10A in Assessor's Block 598 --Request for Conditional Use Authorization under Planning Code Section 209.8(d) for the provision of 14,910 square feet of office space located above the ground floor on a site located within an RC-4 (Residential-Commercial Combined, High Density) District, 80-D Height and Bulk District, the Van Ness Special Use District and the Van Ness Special Sign District. Conditional Use Authorization is also required under Planning Code Section 253.2 for alteration which causes the structure to exceed 40 feet in height. The proposal is to add two new stories plus a top-floor mezzanine

to an existing three-story building.
Preliminary Recommendation: Approve with conditions

SPEAKER(S):

(+) ?

- He is a native San Franciscan.
- He is an attorney and is very blessed to be able to present this project to the Commission.
- He has contacted the various neighbors especially those who would be affected by the project.

(+) **May Yu - Project Sponsor**

- Many of the neighbors have submitted support letters to the Department.
- Recently they met with the condominium Association. They are appreciative of their support to this project.

(+) **Tom Harry - Project Architect**

- The project would refurbish an older building and build condominiums.
- He gave a detailed description of the building and the project.

(-) **Ann Miller**

- She is a natural health practitioner.
- Although May stated that she tried to contact all the neighbors, Ms. Miller was not notified and yet she lives very close.
- The reasons she is against the project for two reasons: parking and noise when construction is going on.
- Her patients need peace since she treats people who have problems with stress and cancer.
- Parking is an "endangered species" in San Francisco.
- She has various petitions of neighbors who are against the project.

(-) **Mrs. Pavlov**

- She fears that their house will be impacted with this construction.
- She like the project sponsors but are quite concerned.
- She project architect has not made himself available to them.
- Her house will loose light and air yet the project supposedly will have a garden and therefore will not create a problem. Yet the sponsors will not be living there, the Pavlov's will.
- She hopes that some modifications will be made.
- She has been promised a lot but there have been no actions.

(-) **Mr. Pavlov**

- In addition to parking problems, this project will be mixed residential and commercial. He doesn't know who people are going to get to this project.
- His building is quite high.
- His objection is the height and the increase in people who will travel there.

ACTION: **Approve with added condition that 3 signs come down(?).**

AYES: **Baltimore, Chinchilla, Joe, Mills, Salinas, Theoharis**

ABSENT: **Fay**

MOTION: **16059**

20b. 2000.656CV (MIRAMONTES: 558-6348)
1988 (formerly 1946) VAN NESS AVENUE, east side between Washington and Jackson Streets, Lot 10A in Assessor's Block 598 --Request for a rear yard variance under Planning Code Sections 134 and 243(c)(6) on a site located within an RC-4 (Residential-Commercial Combined, High Density) District, 80-D Height and Bulk District, the Van Ness Special Use

District and the Van Ness Special Sign District. Section 134 of the Planning Code requires a minimum rear yard depth equal to 25 percent of the total depth of the subject lot. Section 134 further specifies that the rear yard shall be provided at the lowest story containing a dwelling unit and at each succeeding story of the building. The proposed project would provide a rear yard on the fifth level but not on the fourth level which would contain two residential units. Section 243(c)(6) allows for the rear yard requirement to be modified or waived by the Zoning Administrator if specific conditions outlined in Section 243(c)(6) are met.

SPEAKER(S): None

ACTION: Zoning Administrator has taken variance under advisement.

AYES: Baltimore, Chinchilla, Joe, Mills, Salinas, Theoharis

ABSENT: Fay

21. 2000.944C (NIKITAS: 558-6306)
1527-1533 PINE STREET - south side through to Austin between Polk Street and Van Ness Avenue, Lots 018, 018A, and 019 in Assessor's Block 0667 - Request for Conditional Use Authorization under Planning Code Section 121.2 for use size exceeding 3,000 square feet within the Polk Street NC District (Lot 19) and Section 209.8(c) for a commercial establishment located above the ground floor in an RC-4 District (Residential-Commercial High Density) and the Van Ness Special Use District (Lots 18 and 18A). The properties are in 130-V and 65-A Height and Bulk Districts. The proposal is to convert three interconnected buildings from commercial and industrial uses (Albert Daini Fine Furniture) to business or professional services office space (West Coast Property Management).
Preliminary Recommendation: Approval with conditions
(Continued from Regular Meeting of December 7, 2000)

SPEAKER(S):

(+) Erick Cangracing

- West Coast is very well noted in the district.

- He is looking forward to continue working in the neighborhood he grew up in.

ACTION: Approved

AYES: Baltimore, Chinchilla, Joe, Mills, Salinas, Theoharis

ABSENT: Fay

MOTION: 16060

22. 2000.887C (YOUNG: 558-6346)
929 MARKET STREET - south side between 5th and 6th Streets; Lots 064, 074, 075 in Assessor's Block 3704: -- Request for Conditional Use Authorization pursuant to Section 219(c) of the Planning Code to establish office use, approximately 3,798 square feet in floor area, at the second story level of an existing commercial building within a C-3-R (Downtown Retail) District and 120-X Height and Bulk District.
Preliminary Recommendation: Approval with conditions
(Continued from Regular Meeting of November 16, 2000)

SPEAKER(S):

(+) Hanh Pham - Reuben & Alter - Representing Project Sponsor

- The project will convert retail to office.

- The project will not alter the neighborhood.

- This site is appropriate for office since it's close to transit.

- The project will retain the retail on the ground floor.

(neutral) Sue Hestor

- She doesn't want Planning staff that this type of forum analysis is good.
- This will not be ok on some of the projects that the Commission has lined up.
- Just because you are close to transit does not mean that office is ok.
- Conversion of retail can be very technical and sensitive.

ACTION: **Approved**
AYES: **Baltimore, Chinchilla, Joe, Mills, Salinas, Theoharis**
ABSENT: **Fay**
MOTION: **16061**

23. 2000.988C (MARTIN: 558-6616)

399 FREMONT STREET - west side between Folsom and Harrison Streets, Lot 002 in Assessor's Block 3747 -- Request for a Conditional Use Authorization to allow a residential care facility for seven or more persons per Planning Code Section 209.3(c) in the RC-4 (Residential-Commercial Combined Districts, High Density) Zoning District, Rincon Hill Special Use District, and a 250-R Height and Bulk District.
Preliminary Recommendation: Approval with Conditions

SPEAKER(S):

(+) Jonathan Brink

- They provide support and treatment who are mentally ill.
- Their organization basically helps people who have been in hospitals and need a transitional place to get back into the real world.
- A few years ago they developed the first detox program. There have never been any complaints to this organization being located in the avenues.
- The CATS program (which is a shelter program) has 26 adults living there who can come and go freely. This program lost it's funding and was closed.
- The net impact with the neighborhood is that they were able to reduce from 26 to 19 people living at 399 Fremont Street.
- There is never less than two staff available. They have a round-the-clock nurse available.
- People who are living in the program, has been the congregation of people on the outside of the building.
- There will actually be less people gathering outside of the building.

(+) Doug Shoemaker

- He works with the organization and believes they are a very professional organization.
- He Would like to have project approved.

(-) Chano ?

- He is a business owner at 390 Fremont.
- There is a tremendous amount of drug usage in this area.
- There was a major accident at the corner of Fremont and Harrison.
- If this center is approved, there will be traffic and people problems.
- There is a serious issue going on in this neighborhood.

ACTION: **Approved**
AYES: **Baltimore, Chinchilla, Joe, Mills, Salinas, Theoharis**
ABSENT: **Fay**
MOTION: **16062**

1047 MISSISSIPPI STREET - **Appeal of a Negative Declaration** - The proposal is to demolish the existing 1,500 square foot one-story structure and construct a 14,500-square-foot, three-story building, with nine live/work units and 11 parking spaces. The building would be approximately 40 feet in height. The project site is located in an M-1 zoning district, within a 40-X height/bulk district, as well as within an Industrial Protection Zone (IPZ) Buffer, adopted by the Planning Commission as an interim zoning control. Conditional Use authorization would be required for live/work use in the IPZ Buffer.

Preliminary Recommendation: Uphold Negative Declaration

(Continued from Regular Meeting of November 16, 2000)

SPEAKER(S):

(-) Sue Hestor

- She raises questions about the site since the area is very industrial.
- People who reside in the area do not take transit.
- There is a very steep and windy hill which is not a very nice walking area.
- There are also freeways that don't have lights so it makes it difficult for people to walk to transit.

(-) Lane Myers

- She has resided in the area for 19 years.
- Mississippi Street feels so isolated because between Pennsylvania and Mississippi the grade is 18%. This is a very steep hill.
- Every single adult must drive. There are no amenities near by. The area is quite dangerous.
- Two years ago condos were built in the area.

(+) Alice Barkley

- The project description in the neg dec describes the project in detail. Issues related to the Conditional Use and Discretionary Reviews, she will comment at that time.

ACTION: **Uphold Negative Declaration**

AYES: **Baltimore, Chinchilla, Joe, Mills, Salinas, Theoharis**

ABSENT: **Fay**

MOTION: **16063**

24b. 2000.641C

(WONG: 558-6381)

1047 MISSISSIPPI STREET - east side, between 23rd and 25th Streets; Lot 012 in Assessor's Block 4224: Request for Conditional Use Authorization for the construction of nine live/work units in an M-1(Light Industrial) / IPZ (Industrial Protection Zone) buffer Zoning District and a 40-X Height and Bulk District, per Planning Commission Resolution 14861. Preliminary Recommendation: Approval with conditions.

SPEAKER(S):

(+) Alice Barkley

- This project is appropriate for live/work since the block is residential.
- The existing structure on the site is an open shed with a small office. It was used before by a number of different users. Because of the steep grade, it makes it difficult for trucks to travel.

(+) Mack Burton

- He takes offence when someone states that this area is a crime area.
- There is a sore spot and this area is being dealt with.
- In the area there are people of every race.

- This project should move forward.
- He is looking forward to having this project in the neighborhood.
- People move their groceries up and down that hill.
- He looks forward to having workers work on this project

(+) Randy Allison

- He is a property owner across the street from subject property.
- He also leases the adjacent building.
- This proposal is a very good use of the property.
- It is important to him on how the building will look and he likes the design of the building.

(+) Joe O'Donahue

- There are 90 letters of support and signatures of neighbors.
- This project is needed.
- A few years ago, neighbors wanted live/work in the area.
- This has been a vacant site for the past several months.
- This is a good live/work project.
- The architecture is very sensibly drawn.
- This project should be approved.

(-) Max Schmeder

- He is opposed to the project as it is currently planned because it is too dense.
- There are not that many parking spaces left when people come home from work.
- 25th Street is the main thoroughfare to Potrero Hill and it's very dangerous.
- He has had frightening experiences. He can no longer walk his dog.
- Please prevent more problems by reducing the density of this project.

(-) Bernie Bermudez

- He lives on the corner of 25th Street and Mississippi
- 4 times a car has hit his car.
- The project sponsor is not going to live there when the project is complete. He and his family will have to live with all the problems.
- The problem is in the Commissioner's hand now.

(-) Carmen Bermudez

- She lives on 1500 25th Street for 16 years.
- There have been many apartment projects built in the area and there are no more place to park.
- She and her family belong to a church and when they return there are no places to park.
- Her husband has been assaulted and mugged with a gun.

(-) Elena Myers

- As everyone else has pointed out, everyone on this street will drive. Parking will be a real issue.
- The area is just too dense.
- Why does the developer expect approval of all these units.
- There is a great deal of crime in the area.
- Please recognize the limitations of the block.

(-) Sue Hestor

- The rendering submitted to the Commissioners is very deceptive.
- There will be another large project which will be at the Commission in January on this same street. This is just too much for this street.
- The Commission is making people's lives extremely difficult.

ACTION:

Approved

AYES:

Baltimore, Chinchilla, Mills, Salinas, Theoharis

NAYES: Joe
ABSENT: Fay
MOTION: 16064

E. **SPECIAL DISCRETIONARY REVIEW HEARING**

At Approximately **7:39 P.M.** the Planning Commission convened into a Special Discretionary Review (DR) Hearing.

- 24c. 2000.641D (WONG: 558-6381)
1047 MISSISSIPPI STREET, east side, between 23rd and 25th Streets; Lot 012 in Assessor's Block 4224: Staff-initiated discretionary review for removal of a vacant, 2,000 square foot industrial storage shed. Proposal to construct nine live/work units in a M-1 (Light Industrial) / IPZ (Industrial Protection Zone) buffer Zoning District and a 40-X Height and Bulk District, per Planning Commission Resolution 14861.
Preliminary Recommendation: Do not take Discretionary Review and approve as proposed.

SPEAKER(S): **See 24b.**
ACTION: **No Discretionary Review. Project Approved**
AYES: **Baltimore, Chinchilla, Mills, Salinas, Theoharis**
NAYES: **Joe**
ABSENT: **Fay**

- 25a. 1997.379E (NAVARRETE: 558-5975)
386 ALABAMA STREET: **Appeal of a Negative Declaration** - The proposal is to construct three buildings on a 49,700 square-foot lot bounded by Alabama, 16th, 17th and Harrison Streets (Assessor's Block 3967, Lot 1). The site is currently vacant and has several addresses on record: 386 Alabama Street, 2625 16th Street, 2001 Harrison Street, 2051 Harrison Street, and 2095 Harrison Street. The project would include a total of 64 live/work units, 9 retail/commercial spaces, and parking for 84 cars. There would be a total of approximately 15,834 square feet of commercial space, about 53,340 square feet of parking, and 83,159 square feet of live/work space. The total size of the three buildings combined would be approximately 153,400 square feet. -The new buildings would be approximately 50 feet in height and would cover the entire lot. This proposed project is located in an M-1 (Light Industrial) Zoning District. It is also within the Industrial Protection Zone (IPZ) adopted by the Planning Commission as an interim zoning control.
Preliminary Recommendation:-Uphold Negative Declaration
(Continued from Regular Meeting of November 2, 2000).

SPEAKER(S):
(-) Patrick Gogin - Appellant
- Project Artaud provides low cost space to artists.
- This has been known as the gateway to the Mission District.
- There are several artists co-ops as well as theaters.
- This project will not provide any benefit to the district.
- The project is bad for the community.
- There is no real benefit to the neighborhood.
- The project will have problems regarding traffic, chemicals, toxic, etc.
- There has not been any new soils analysis of chemicals that were left behind from previous owners.

- This application is incompatible with zoning areas.

(-) Mathew Francois - Appellant

- His client lives in the area.

- The project will result in environmental impacts: land use impacts; San Francisco SPCA will be impacted; noise impacts; and traffic impacts.

- He is asking for a full Environmental Impact Report.

(-) Sue Hestor - Appellant

- Submitted Resolution No. 13794, adopted on December 15, 1994. This is a policy for this site which has never been repealed.

- The staff response to this implies that it is discussed in this resolution.

- The discussion of compatibility with policies belongs in this negative declaration.

- She has two issues: a) it's going to be offices b) policies are not discussed.

(-) Judy West

- This site has a major crossroad to the neighborhood.

- She passed documents to the Commissioners.

- The occupancy was supposed to be low income artists -- this is not what is going on.

- This is a culturally significant site which needs to be addressed further.

(-) Nicole Sowaya

- There are toxic chemicals at the site that is why an Environmental Impact Report is required.

- She has lived in the area for many years and has seen the cement factory when it was open.

(-) Lizzy Spicuzza

- She is a resident and a member of Project Artaud.

- Parking and traffic in the neighborhood is already a problem.

- Few businesses have the luxury to offer valet parking.

- No having a detailed investigation of traffic should not be avoided.

- A project of this size is not appropriate for the neighborhood.

(-) Benjamin Young

- He has lived next to the site for 28 years.

- 16th Street was one of the first streets.

- Two years ago he and his son found some evidence of archeology.

- This is an extraordinary site.

(-) Phil Deal

- He is a resident of Project Artaud for 25 years

- Traffic congestion is a problem and is quite intense.

- People drive around for 15 to 30 minutes in order to find parking.

- 17th and Harrison is an extremely and hazardous intersection.

- When this project moves in, these problems will only increase.

(-) Victor Vitlin

- He owns a building across from the subject project.

- He does not oppose development yet this particular project is not compatible with the neighborhood.

- There are a number of industrial buildings surrounding the project site.

- In this type of area, residential developments are prohibited.

(-) Doug Shoemaker

- He is here on behalf of MAC (Mission Anti-Displacement Coalition).

- The original negative declaration for live/work stated that it is not anticipated that live/work would have any impact on availability of industrial space in the City. This has been proven to not be true.

- Will the land use have any substantial impact on the existing character of the vicinity.
- How many times will the Commission tell the public that the Planning policies are not appropriate with specific project levels and never go to the cumulative impact.
- He is looking forward to a new day with new policies.

(-) Maria Gilardin

- Her main concern is the incredible day and night construction going on.
- There is a lot of soil which goes in and out into the area.
- There are also massive amounts of toxic soil at the site.

(-) Roger Geisler

- He is against this project.
- There is a negative environmental impact to this project.
- He would not be feeling safe living in a development which might become an office building because there will be more people there.

(-) Cathlene O'Keafe

- She has lived in the area for over 20 years.
- The neighborhood has changed.
- This area was supposed to encourage artists.
- Not that many people are coming into San Francisco because it's becoming harder to come.

(+) Alice Barkley

- There is a soil management plan in place which has been approved by the Department of Public Health. There will be a health safety plan for workers.
- Dirt is coming in and out in order to analyze the soil.
- All the soil which has come in will be taken out by the people who put it there.
- When this Commission adopted resolutions in 1999 and early this year, the Commission has considered IPZs. Projects in this area will be "grandfathered".
- There is allegations that this project will displace. The site has been vacant for 8 years.
- The mitigation measure on transportation require the project sponsor to install a signal at the site for traffic and pedestrian protection.
- The plan requires that prior to any excavation, there will be an archeologist on site. The project sponsor is responsible for all fees.
- An EIR is not required since this project is a mitigated negative declaration.
- An EIR will not provide Commission with any additional information.
- Regarding the actual use of the building

(+) Joe Cassidy

- Regarding the soil, he is an expert on this issue. The City is installing thousands of miles of fiber optic cable. The City does testing of soils before a project is developed.
- Line Enterprises uses an industrial building for other uses.
- He finds it hypocritical for this company to come and state comments against this project.

(+) Joe O'Donahue - Residential Builders

- This site has had an intensified use.
- Bode Gravel's trips and trucks were approximately 4,000 per day.
- There are allegations without historic facts.
- People who live in the City could not afford to live in Walnut Creek, nowadays it is the reversal.

ACTION: Negative Declaration Upheld

AYES: Baltimore, Chinchilla, Joe, Mills, Salinas, Theoharis

ABSENT: Fay

MOTION: 16065

386 ALABAMA/2625 16TH STREET - entire block bounded by 16th Street, Alabama Street, 17th Street and Harrison Street. Lot 1 in Assessor's Block 3967. Staff Initiated Discretionary Review of Building Permit Application Nos. 9801586, 9801587 and 9801588, proposing development of three four-story live/work buildings containing 64 units within the Industrial Protection Zone and the NEMIZ area. The three proposed buildings will contain 153,333 square feet total. The project also includes: 84 off-street parking spaces, three loading spaces and a maximum of nine ground-floor level commercial retail spaces, 84 off-street parking spaces and three off-street loading spaces. The proposed buildings would be approximately 50 feet tall. Per Planning Commission Resolution No. 14861, adopted on August 8, 1999, all live/work projects submitted prior to April 22, 1999 ("pipeline projects") within the Industrial Protection Zone are subject to a mandatory Discretionary Review process before the Planning Commission. The subject building permit applications were submitted January 29, 1998. The project site is within the M-1 (Light Industrial) District, the Industrial Protection Zone, the NEMIZ area, and a 50-X Height and Bulk District. Preliminary Recommendation: Do not take discretionary review, approve building permits as submitted.

(Continued from Regular Meeting of November 16, 2000)

SPEAKER(S):

(-) Mary Pellow

- She represents the owners of the Line Building as well as being treasurer of the Northeast Mission Business Association.
- Many of the members of the organization are opposed to the project. These members work in the vicinity of the project.
- Her point is that since she manages the project, walks down 16th Street, takes BART, etc., it is a reality that the dogs are loud.

(-) Nicole Sowaya - Project ARTAUD

- Referred to an article on the New York Times regarding artists' vs. dot.coms.
- This is one of the largest live/work proposals.
- When are the public going to say "enough is enough!"
- She wants non-profits and artists to remain in the Mission.
- This is about preserving the last bit of industrial use in this City.
- Why can't the Commission have a community-planning process.

(-) Chris Moscone

- He is here to urge the Commission to take DR and approve the project with conditions of approval.
- The project sponsor, Ms. Barkley and he have developed specific conditions of approval.
- The main concern is parking.
- She would like the Commission to review the conditions of approval.

(-) Judy West

- This is a very crucial site for the neighborhood and she would like for the Commission to be very careful to not do the wrong thing.
- To say that this project is exempt from any policies to discourage housing is very disingenuous on the part of the Commission.
- She would really like to see built a very large public plaza -- like a European plaza. Not something that will compete with Franklin Square but more like something that would be more urban, for the business community, for carnival, for farmer's markets.
- This is one of the only sites left in our industrial land that could be something for the public.

(-) Trisha Legocio - Executive Director of Southern Exposure

- There will be great impact if the Commission approves a project of this nature.

- She represents artists and youth. They serve up to 23,000 annually.
- She urges the Commission to consider not supporting this proposal.

(-) Brian Goggin

- He is a public artist and has lived and worked at project artaud for many years.
- Project Artaud is a low income, affordable housing for artists.
- He urges the Commission to approve more projects which would allow space for artists.
- This area is a gateway to the Mission.

(-) Steven Siegel

- The proposed development will only aggravate matters more.
- The need for affordable and performing space is imperative.
- Artists are being forced to leave areas which they have helped create.
- Venues are being forced to increase their fees which makes it difficult for artists to rent and/or perform there.

(-) Sue Hestor

- There are important items which are not dealt with in the staff report.
- The Commission has never dealt with repealing the resolution.

(+) Alice Barkley

- The project sponsor, the architect and the SPCA conducted meetings regarding the barking dogs.
- The code required that the units have special noise reduction material.
- This live/work project meets all the requirements.
- Regarding parking and traffic and the concern of the neighbors, it was suggested to eliminate commercial spaces, put the parking garage from Alabama Street down to the commercial level. The only problem is that this would be a conflict of policies.
- The project team came to a conclusion and this is what is being presented to the Commission.

(+) Joe O'Donahue

- Art needs creativity and not money.
- Artists don't need subsidies, creativity does not need subsidies.

ACTION: Take Discretionary Review to impose conditions recommended by staff.
AYES: Baltimore, Chinchilla, Mills, Salinas, Theoharis
ABSENT: Fay
NAYES: Joe

26. 2000.045D (WANG: 558-6335)
 1117-1125 OCEAN AVENUE - Lots 041 and 042, in Assessor's Block 6944 -- Request for Discretionary Review - proposing to demolish an existing ground-floor, single-family residence and storefront on Lot 042, demolish an existing storefront and a garage on Lot 041, and construct a new four-story, mixed-use building occupying both lots, in an NC-2 (Small-Scale Neighborhood Commercial) District and a 40-X Height and Bulk District. Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted.
 (Continued from Regular Meeting of November 9, 2000)

SPEAKER(S): None
ACTION: Continued to January 11, 2001
AYES: Baltimore, Chinchilla, Joe, Mills, Salinas, Theoharis
ABSENT: Fay

27. 2000.964DDDD (MEHRA: 558-6257)
250 SEA CLIFF AVENUE - Building Permit Application No. 200006213244, Case No. 2000.964D, for the property at Lot 1M on Assessor's Block 1307. The proposal is to construct a one-story addition--391 sq. ft. in size--on the second floor on an existing deck adjacent to the master bedroom suite, above the garage on the east side of the property. The addition will accommodate an exercise and dressing room and will not encroach into the required rear or side yards. This property is in an RH-1(D) (Residential, House, Single-Family Detached) district and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted
(Continued from Regular Meeting of November 16, 2000)

SPEAKER(S): **None**

ACTION: **Continued to January 25, 2001**

AYES: **Baltimore, Chinchilla, Joe, Mills, Salinas, Theoharis**

ABSENT: **Fay**

28. 2000.1042D (M. SNYDER: 575-6891)
261 FAIR OAKS STREET - east side between 23rd and 24th Streets, Lot 023 in Assessor's Block 3647, proposing to construct a one-story vertical addition at the rear of the house in a RH-3 (Residential, House, Three-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve the building permit applications as revised.

SPEAKER(S): **None**

ACTION: **DR Withdrawn**

AYES: **Baltimore, Chinchilla, Joe, Mills, Salinas, Theoharis**

ABSENT: **Fay**

29. 2000.337D (M. SNYDER: 575-6891)
175 RUSS STREET/68 HARRIET STREET - northeast side between Folsom and Howard Streets and fronting on Harriet Street, Lot 089 in Assessor's Block 3731, proposing to demolish an existing warehouse building and construct 32 live/work units in two 16-unit buildings with 34 off-street parking spaces in a SLR (Service/Light Industrial/Residential Mixed-Use) District and an 50-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted.

SPEAKER(S):

(-) Joanna Sanchez - DR Requestor

- She has an easement right on the site the sponsor wants to develop.
 - When she found out about this building, she tried to contact Gary Gee and Joe Cassidy.
 - She couldn't find an attorney in a period of 24 hours.
 - She never got a copy of a survey which was supposedly done.
 - She has concerns for her tenants since they will lose light and air.
 - The value of her property will suffer. It will also create maintenance costs.
- (-) Vladan Djakovic**
- He does not think it's right for the Commission to pick and chose when to imply the code.
 - He received notice less than 24 hours about the hearing.
 - There are multiple errors and discrepancies in the report.

(-) Marlies Hensel

- Traffic will increase tremendously.

(-) Paul Meyers

- He lives in the neighborhood and has similar concerns as the rest of the speakers.

- He has not had much time to review the report. Although he has just skimmed through it, he has noticed many errors.

- With the new development, it will be more hazardous and problematic for the people who already live in the neighborhood.

(-) Sue Hestor

- This is one of the most manipulative projects Ms. Barkley has done.

- Many of the documents were sent during the Thanksgiving holidays.

- Sending staff reports a day before the hearing is just not appropriate.

- This case should be continued until January in order to give people the change to review the material and not rush through something before the Christmas holiday and break.

(+) Alice Barkley

- The project will be revised.

- This project does have neighborhood support.

- There were two meetings with the neighbors called by the project sponsor.

- She recommends if there is no easement then the conditions of approval would be the ones she submitted.

(+) Gary Gee

- He had a meeting with the Zoning Administrator regarding the criteria for the shadow study. The ZA asked him to use a more stricter criteria and since he has gone back and made changes.

(+) Joe Cassidy

- He is one of the project sponsors. He has had many meetings with the neighbors and has provided practically "the kitchen sink" to try to deal with everyone's issues.

- The area of this project is a very business area.

(+) Pat McCune

- They print t-shirts.

- They started out with 3 employees and now they have about 50 employees.

- They moved from Shipley to Russ Street a few years ago.

- The Russ building is very ill suited for the expansion of their business.

- They can't operate the business in two locations.

(+) Ken Watson

- They are under two roofs and have about 50 employees. They plan on growing and need to be under one roof.

ACTION: Take Discretionary Review to make amendments recommended by staff.

AYES: Baltimore, Chinchilla, Joe, Mills, Salinas, Theoharis

ABSENT: Fay

G. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment

portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

Lidia Fraser

Re: Live/work Loft she owns with Mr. Dwight Doliver.

- She and a partner own a film and arts production studio called Provision Studios.
- They have been in San Francisco for 25 years and in live/work lofts for 15 years. About 4 years ago they purchased a live/work loft and a bout 1 year ago they purchased another loft and rented it out.
- They are having a problem on the tenants of the 2nd building which is located on 18th Street.
- They are being harassed and they are being persecuted by people who lied to get in there in for first place.
- They have harrazed the other tenants, etc.

Dwight Dolliver

Re: Same as previous speaker

- They feel like they are being harrazed.

Sue Hestor

- She urges the previous speakers to speak at the BOS.
- It is inappropriate to provide information to the public 1 day before the hearing.

Joe O'Donahue

- There are many people who submit information 1 hour before the hearing.

Adjournment: 11:00 p.m.

THE DRAFT MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, JANUARY 18, 2001

